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2016 Findings on the Worst Forms of Child Labor

Abstract

[Excerpt] This month, we release the 16th edition of the annual *Findings on the Worst Forms of Child Labor*, a report born from the idea that trade should be fairer for all. Mandated by the Trade and Development Act of 2000 (TDA), which expanded eligibility criteria for the Generalized System of Preferences (GSP) program, this report shines a spotlight on specific sectors in which child labor, including forced labor and trafficking, persists, and describes the progress some countries have made in upholding their international commitments to eliminate these practices. The report offers recommendations to address these injustices and protect children through improved laws, policies, and practices. Unfortunately, the report also demonstrates how much work is needed to end child labor.

This report provides specific, actionable information to the governments of GSP-beneficiary countries regarding how best to combat labor abuses. Companies also use the report as a critical input into risk assessments, to conduct due diligence on their supply chains, and to develop strategies to address the problem. Our own federal government agencies use the report to safeguard federal procurement by informing procurement officers of risks in sourcing products and services. DOL uses this report to reveal hidden exploitation and partner with countries working to end labor abuses. Through these partnerships, we have rescued and provided educational opportunities to nearly two million children, helped almost 170,000 families meet their basic needs without relying on child labor, and contributed to reducing child labor by more than 94 million worldwide. This month, we are releasing an updated version of our Sweat & Toil app, which puts more than 1,000 pages of this report and other DOL research on child labor and forced labor in the palm of your hand.

Keywords

child labor, slavery, trafficking, prostitution, safety

Comments

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2016

Findings on the Worst Forms of Child Labor



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8 steps to reduce child labor and forced labor in global supply chains.

On the front cover: © GMB Akash

A girl child is working in a textile factory in Dhaka. It is common in Bangladesh for children of poor parents to work in various hazardous and labor intensive workplaces to support their families. 17.5 percent of all children aged between 5-15 are engaged in economic activities. The average child labourer earns between 400 to 700 taka (1 USD = 70 taka) per month, while an adult worker earns up to 5,000 taka per month.





© REUTERS
Children fill up empty cigarettes manually with locally grown tobacco in a small bidi (cigarette) factory at Haragach in Rangpur district, Bangladesh July 11, 2013.

Foreword

According to the U.S. Census Bureau, in 2016, the United States imported \$124 billion in clothing and footwear. Before goods make their way to store shelves, they follow a long and winding path through a supply chain – the complexity of which no collar tag can capture. The journey begins in fields that grow cotton and on the cattle farms that provide the hides, proceeds through spinning mills and tanneries, and ends on the floors of factories or homes where the shoes are cut and assembled or the garments are sewn. Sometimes work produced for major international brands is subcontracted out, at times without the brand’s knowledge, to medium-sized factories and home-based workshops.

Unfortunately, there are sometimes hidden, non-monetary costs associated with the goods Americans purchase. Abusive labor practices, such as forced labor and child labor, harm millions of children, women, and men by enabling goods to be produced at artificially low prices. These practices create not only human rights abuses, but they create an uneven playing field, making it hard for businesses that play by the rules to compete. A country’s failure to stop the exploitation of its labor force undermines the well-being of American workers and other workers around the world. This reality impacts us as consumers, as we all run the risk of indirectly and unwittingly contributing to the perpetuation of shadow industries,

where goods are made on the backs of children and modern-day slaves. The complexity of many global supply chains makes it challenging for consumers to know where to buy untainted goods or what they can do to help address the problem.

All this raises the question: What can be done to stop these abuses?

The primary mission of the U.S. Department of Labor’s (DOL) Bureau of International Labor Affairs is to promote a fair global playing field for workers in the United States and around the world by enforcing trade commitments, strengthening labor standards, and combating international child labor, forced labor, and human trafficking. There are an estimated 152 million child laborers, roughly 10 percent of the world’s child population and almost half – 73 million children – are used in hazardous work, such as spraying pesticides, descending into mineshafts, or diving underwater to untangle fishing nets.^[1] Millions of children are used in prostitution, the production of pornography, domestic servitude, forced begging, drug trafficking, or are forcibly recruited for use in armed conflict. Worldwide, there are also 25 million adults and children in forced labor.^[1] These newly released 2016 global estimates from the International Labor Organization underscore the urgency of our response.



R. Alexander Acosta
U.S. Secretary of Labor

President Trump's 2017 National Trade Policy Agenda includes "enforcing labor provisions in existing [trade] agreements and enforcing the prohibition against the importation and sale of goods made with forced labor." The Trade Facilitation and Trade Enforcement Act also strengthens the U.S. government's ability to prevent goods made by forced labor from entering the United States. DOL remains committed to contributing our expertise in this area by working collaboratively with the U.S. Customs and Border Protection (CBP) as they enforce this prohibition.

This month, we release the 16th edition of the annual *Findings on the Worst Forms of Child Labor*, a report born from the idea that trade should be fairer for all. Mandated by the Trade and Development Act of 2000 (TDA), which expanded eligibility criteria for the Generalized System of Preferences (GSP) program, this report shines a spotlight on specific sectors in which child labor, including forced labor and trafficking, persists, and describes the progress some countries have made in upholding their international commitments to eliminate these practices. The report offers recommendations to address these injustices and protect children through improved laws, policies, and practices. Unfortunately, the report also demonstrates how much work is needed to end child labor.

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their basic needs without relying on child labor, and contributed to reducing child labor by more than 94 million worldwide. This month, we are releasing an updated version of our *Sweat & Toil* app, which puts more than 1,000 pages of this report and other DOL research on child labor and forced labor in the palm of your hand.

DOL offers another free, comprehensive online toolkit for businesses seeking to develop robust social compliance systems for their global production. DOL also released a new mobile version of this toolkit – *Comply Chain: Business Tools for Labor Compliance in Global Supply Chains*, making this information more accessible to companies and the public. The power of digital technology is increasingly harnessed to combat labor abuses in supply chains through data collection, supply chain tracing, grievance reporting, and other mechanisms, and DOL is part of that trend. Because of our ongoing commitment to help business develop new tools and test new models to address abuses, we are funding a new initiative to support robust social compliance systems in coffee supply chains that help raise labor standards and safeguard against abusive working conditions. Together, we can ensure that the products we buy are made in a way that is consistent with American values.

Producing goods with exploited labor is simply wrong and gives countries and businesses an unfair competitive advantage. We must do our part to end exploitation and expose those who engage in abusive labor practices. The challenge is immense, but so are the opportunities for progress. The information in this report can help us all take concrete steps to make these injustices a relic of the past.

R. ALEXANDER ACOSTA
Secretary of Labor
September 2017



© Larry C. Price
Bahadur, 12, removes goat skins from a chemical bath at the
Mizan Leather Tannery in Hazaribagh, Dhaka, Bangladesh, 2016.

From Seed to Shirt:

Child Labor in the Cotton Supply Chain

How much do you know about your favorite cotton t-shirt's journey to your closet?



Child labor can begin in the earliest stages of cotton production exposing children to hazardous work. In India, for example, between 400,000 and 450,000 children work long hours in the production of hybrid cottonseed, many as forced or bonded laborers.



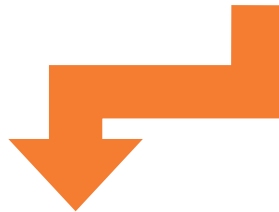
Children are involved in the cultivation of cotton plants, by plowing, weeding, and removing pests by hand, as well as by spraying pesticides that present significant health hazards.



Although some progress has been made in reducing the number of forced child laborers in the cotton harvest, some children in countries such as Uzbekistan and Tajikistan are mobilized by local governments for forced labor in the cotton harvest.



Child labor has also been documented in ginning factories, where children work with hazardous machinery and inhale cotton dust as raw cotton is processed.



Children work long hours in hazardous conditions for very little pay as they produce garments that are sold commercially around the world.

Sources: Global March Against Child Labour. *Dirty Cotton: A Research on Child Labour, Slavery, Trafficking and Exploitation in Cotton and Cotton Seed Farming in India*. New Delhi, 2012; available from <http://www.globalmarch.org/sites/default/files/Dirty-Cotton-Report.pdf>. Josephine Moulds. "Child Labour in the Fashion Supply Chain: Where, Why, And What Can Be Done." [theguardian.com](https://labs.theguardian.com/unicef-child-labour/) [online] [cited 2015]; available from <https://labs.theguardian.com/unicef-child-labour/>. U.S. Department of State. "Tajikistan." In *Trafficking in Persons Report- 2016*. Washington, D.C., July 27, 2016; available from <https://www.state.gov/j/tip/rls/tiprpt/countries/2016/258874.htm>. Uzbek-German Forum for Human Rights. *Forced Labor in Uzbekistan's Cotton Sector: Preliminary Findings from the 2016 Harvest*. December 2016.



© M. Crozet
Child tinsmith working in
Soukounicoura area, Bamako, Mali.

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The reports are also available on the Internet at: <http://www.dol.gov/endchildlabor>.
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Shilu works separating sand and stone. At least 10,000 people, including 2,500 women and over 1,000 children, are engaged in stone and sand collection from the Bholiar Ghat on the banks of the Piyain river. Building materials such as stone and sand, and the cement which is made from it, are in short supply in Bangladesh, and commands a high price from building contractors. The average income is around 150 taka (less than 2 USD) a day, 2011.

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A young girl in Jharia Coalfields, India, brings
a basket of scavenged coal to a pile for
burning into charcoal, 2016.

Acronyms

AF	Sub-Saharan Africa
AGOA	African Growth and Opportunity Act
ATPA	Andean Trade Preference Act
ATPDEA	Andean Trade Promotion and Drug Eradication Act
AP	Asia and the Pacific
CBTPA	Caribbean Basin Trade Partnership Act
CEACR	International Labor Organization Committee of Experts on the Application of Conventions and Recommendations
CRC	Convention on the Rights of the Child
EAPCCO	Eastern Africa Police Chiefs Cooperation Organization
ECOWAS	Economic Community of West African States
ECPAT	End Child Prostitution, Child Pornography, and Trafficking of Children for Sexual Purposes
EFA	Education for All
EUR	Europe and Eurasia
EU	European Union
FLSA	Fair Labor Standards Act
ILO-FUNDAMENTALS	International Labor Organization’s Fundamental Principles and Rights at Work Branch
GDP	Gross Domestic Product
GSP	Generalized System of Preferences
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome
IDB	Inter-American Development Bank
ILAB	Bureau of International Labor Affairs
ILO	International Labor Organization
ILO C. 29	International Labor Organization, Convention No. 29: Convention Concerning Forced or Compulsory Labor, commonly referred to as the “Forced Labor Convention”
ILO C. 138	International Labor Organization, Convention No. 138: Convention Concerning Minimum Age for Admission to Employment, commonly referred to as the “Minimum Age Convention”
ILO C. 182	International Labor Organization, Convention No. 182: Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, commonly referred to as the “Worst Forms of Child Labor Convention”
ILO R. 190	International Labor Organization, Recommendation No. 190: Recommendation Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, commonly referred to as the “Worst Forms of Child Labor Recommendation”



© George Osodi/Panos

A young boy on a gold mining site in Obuasi. He is the child of one of many unemployed young people who have taken to working as illegal artisanal gold miners known as *galamseys* in Ghana, Obuasi, Ashanti Region.

IMF	International Monetary Fund
INTERPOL	ICPO–INTERPOL/International Criminal Police Organization
IOM	International Organization for Migration
LAC	Latin American and the Caribbean
LFS	Labor Force Survey
LGBTI	Lesbian, Gay, Bisexual, Transgender, Intersex
LSMS	Living Standards Measurement Survey
MERCOSUR	Common Market of the South (America); full members include Argentina, Brazil, Paraguay, and Uruguay, and Venezuela (membership currently suspended)
MOU	Memorandum of Understanding
MENA	Middle East and North Africa
NGO	Non-Governmental Organization
OAS	Organization of American States
OCFT	Office of Child Labor, Forced Labor, and Human Trafficking
OSCE	Organization for Security and Cooperation in Europe
OSHA	Occupational Safety and Health Administration
Palermo Protocol	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime
PRSP	Poverty Reduction Strategy Paper
SIMPOC	Statistical Information and Monitoring Program on Child Labor
TDA	Trade and Development Act
TVPRA	Trafficking Victims Protection Reauthorization Act
UCW	Understanding Children’s Work
UK	United Kingdom
UN	United Nations
UN CRC	United Nations Convention on the Rights of the Child
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Program
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children’s Fund
UNODC	United Nations Office on Drugs and Crime
USAID	U.S. Agency for International Development
USDOJ	U.S. Department of Justice
USDOL	U.S. Department of Labor
USDOS	U.S. Department of State
USHHS	U.S. Department of Health and Human Services
WFP	World Food Program
WHD	Wage and Hour Division
WHO	World Health Organization



© Joerg Boethling/Alamy Stock Photo
SIERRA LEONE Tombo, young girl carries a plate
with cashew nut and fruits on her head for selling.

Purpose of this Report

The U.S. Department of Labor (USDOL) has prepared this 16th annual report on *2016 Findings on the Worst Forms of Child Labor* in accordance with the Trade and Development Act of 2000 (TDA).⁽³⁹⁾ The TDA set forth the requirement that a country implement its commitments to eliminate the worst forms of child labor in order for the President to consider designating the country a beneficiary developing country under the Generalized System of Preferences (GSP) program.^(40, 41) The TDA also mandated the President to submit to Congress the Secretary of Labor's findings with respect to each "beneficiary country's implementation of its international commitments to eliminate the worst forms of child labor."⁽³⁹⁾ ILAB carries out this responsibility on behalf of the Secretary.

Research Focus

Country Coverage

This report covers 121 independent countries and 14 non-independent countries and territories designated as GSP beneficiaries. This includes former GSP recipients who have negotiated free-trade agreements with the United States. Although designated as GSP recipients, the report does not contain a discussion of the British Indian Ocean Territory, Heard Island and McDonald Islands, and the Pitcairn Islands, due to their population of children being extremely small (less than 50) or non-existent. A regional breakdown of the countries and non-independent countries and territories discussed in this report is as follows: Sub-Saharan Africa: 47, Asia and the Pacific: 32, Europe and Eurasia: 18, Latin America and the Caribbean: 26, and the Middle East and North Africa: 12. Because the report focuses on government efforts, non-independent countries and territories are classified by the region of the country with which each non-independent country and territory is associated, as appropriate. Hereinafter, the use of "countries" in the report will also include territories.

Population Covered

In undertaking research on the "worst forms of child labor," ILAB relied on the definition of a child provided in the TDA, which is the same definition contained in ILO C. 182. The TDA and ILO C. 182 define a "child" to be a person under age 18.

Reporting Period

The reporting period for this year's report is January 2016 through December 2016.

Type of Employment

This report focuses on the worst forms of child labor. The definition of the "worst forms of child labor" is found in the TDA and is the same as that included in ILO C. 182. It includes (a) all forms of slavery or practices similar to slavery, such as the sale or trafficking of children, debt bondage and serfdom, or forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict; (b) the use, procuring, or offering of a child for prostitution, for the production of pornography, or for pornographic purposes; (c) the use, procuring, or offering of a child for illicit activities, in particular for the production and trafficking of drugs; and (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety, or morals of children.⁽⁴³⁾ Similar to ILO C. 182, the TDA states that the work described in subparagraph (d) should be "determined by the laws, regulations, or competent authority of the country involved."^(39, 43)

Children, 5-17 years old

million working children

Working Children

Child Labor

Hazardous Labor

73 million* children engaged in hazardous labor

million children in child labor

*Global estimates on the number of children engaged in categorical worst forms of child labor do not exist. See the International Labor Organization. *Global estimation of child labour 2016: Main results and methodology*. Geneva, September 2017.



© Justin Kenny/Small Footprint Films
Ten year-old boy pulls hide from pressing
machine at a tannery in Dhaka, Bangladesh, 2016.

The Year in Review

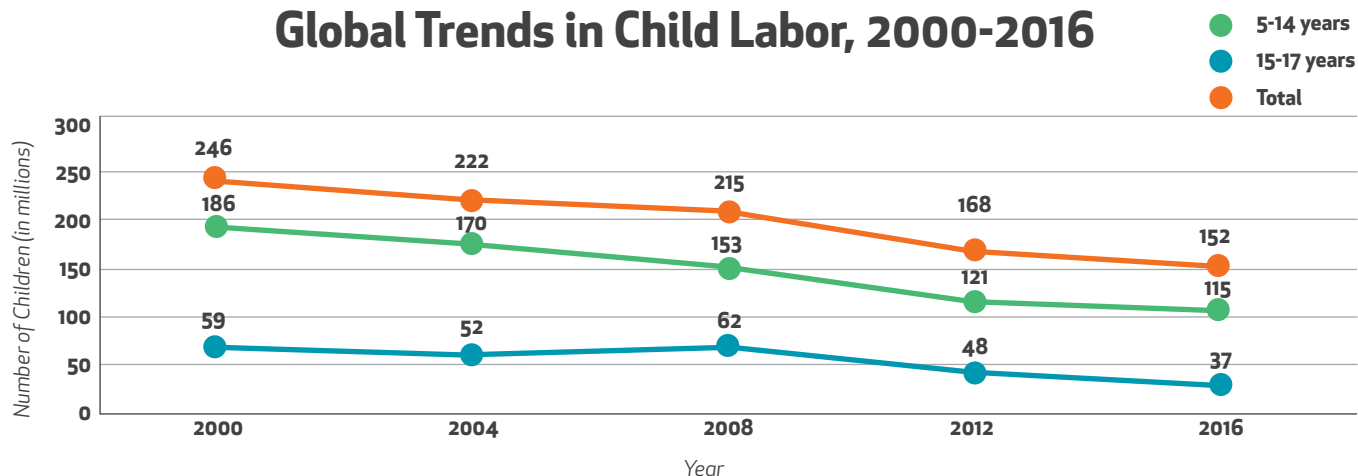
A Race Against the Clock: Action Needed to End Child Labor by 2025

This year marks the 70th anniversary of the U.S. Department of Labor’s Bureau of International Labor Affairs’ (ILAB) efforts to protect worker rights around the world. Within this time, the Bureau has worked for almost 25 years to combat the worst forms of child labor. These targeted and sustained efforts have contributed to an unprecedented global reduction in child labor—by 94 million since 2000.⁽¹⁾ ILAB’s use of systematic and rigorous research to shine a light on child labor abuses has been a cornerstone of our approach when engaging with governments, businesses, and civil society actors to spur action to make these abusive practices a relic of the past. In over 95 countries, ILAB has helped

countries collect information on and measure the prevalence of child labor, translated these findings into focused national action plans, and supported innovative approaches to help families meet basic needs without relying on child labor.

However, as new global estimates from the ILO and this year’s report clearly show, global efforts to date, while substantial, are not keeping pace with what is required to rapidly end child labor in the next decade. The following three takeaways from this year’s TDA report summarize: progress has been made, but gaps still remain; exploiters are innovating to profit while evading accountability for

Global Trends in Child Labor, 2000-2016



Source: International Labor Organization. *Global estimation of child labour 2016: Main results and methodology*. Geneva, September 2017.

their actions; and there is need to ensure that all hands are on deck to accelerate progress over the coming decade.

are being pulled in and exploited. In 2016, for instance, newspapers in Ecuador and Uruguay began covering reports of the use of young children to transport and sell narcotics as part of a new form of drug trafficking;

Child labor continues to decrease, but the pace of progress has slowed

Today, millions of children around the world remain trapped in the worst forms of child labor, carrying out virtually every type of work under a wide range of conditions. The newly released 2016 global estimates from the ILO indicate that there are an estimated 152 million child laborers between the ages of 5 and 17 years old, including 73 million involved in work that is hazardous to their health and well-being. Overall, since the ILO first began measuring the global prevalence of child labor, we have seen a nearly 40 percent reduction in the number of child laborers from 246 million in 2000 to 152 million in 2016.⁽¹⁾ While 2016 saw a continuation of this positive downward trend, the marked decline in the pace of change in recent years is cause for concern. Still today, nearly 1 in 10 children in the world is in child labor. Even more concerning is that the proportion of children in child labor in Sub-Saharan Africa continues to increase, with one in five children in child labor.⁽¹⁾

Over the past year, we observed another troubling trend: as new forms of illicit activities arise, children

Where Do the 152 Million Children Work?



Source: International Labor Organization. *Global estimation of child labour 2016: Main results and methodology*. Geneva, September 2017.

rather than cross-border trafficking of large quantities of narcotics for international consumption, this new form of child labor involves the “micro-trafficking” of small quantities of drugs, which children rapidly sell for domestic consumption.

As the nature of the global marketplace shifts from storefronts to e-commerce, exploiters are also adapting their business models. In an increasingly mobile, connected world, internet-facilitated commercial sexual exploitation of children is a growing problem. Children in the Philippines, for example, are being coerced into performing sex acts for live internet broadcasts to foreign customers and local Filipinos in small internet cafes, private homes, or windowless dungeon-like buildings known as “cybersex dens.” And in Colombia, press reports during the year documented a trend away from the use of commercial establishments for the sexual exploitation of children and the production of child pornography; instead, private homes are now being rented via the internet to conduct such activities.

Also in 2016, a variety of new studies, some employing new methods of investigative reporting, were released. These studies deepened our understanding of the ongoing exploitation of children in certain sectors. For example, recent investigative research by Transparentem, an NGO seeking increased transparency and ethical behavior in supply chains, brought into greater focus the extremely toxic environment of Bangladesh’s leather tanneries, in which children use hazardous chemicals and machines without any sort of protective equipment. Recent reports by international organizations and news outlets also shined a brighter spotlight on the thousands of children as young as age 6 mining mica, a mineral used in thermal or electrical insulation and as a pigment extender, in India, under dangerous and unhealthy conditions. And Ukrainian news media and local observers began reporting an emerging trend of child labor in illegal amber extraction in the western part of the country.

It is encouraging news that 94 million fewer children are engaged in child labor compared to over 15 years



© UNICEF/UN019128/Hyams

On July 1, 2016, a young girl stands at a blackboard in a school in Guinea. Thanks to the support of the EU, children and adolescents in Guinea, Sierra Leone, and Liberia can go back to school after the Ebola outbreak.

From Research to Action: The Importance of National Child Labor Surveys

The collection and dissemination of child labor data are fundamental to understanding the breadth and scale of issues affecting working children, as well as risk factors that increase children’s vulnerability to exploitative labor.

Children who are engaged in child labor or hazardous work are more likely to drop out of school, get hurt on the job, and suffer from poor health. These children’s development is impeded and they are more likely to experience livelihood insecurity as adults.

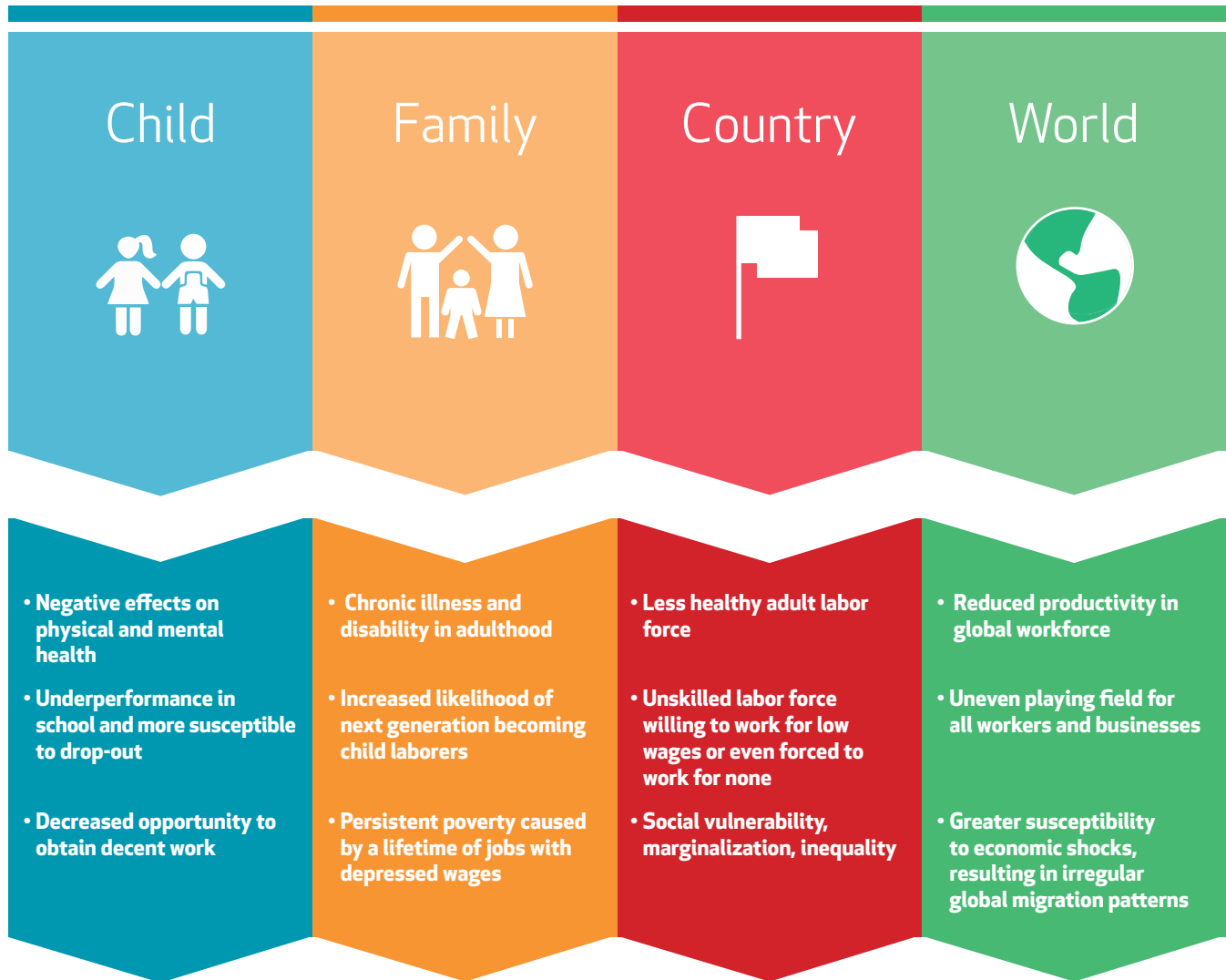
National child labor surveys are a key mechanism for collecting much-needed data. These surveys – whether conducted as a stand-alone or integrated into pre-

existing national research efforts, such as labor force, household, or demographic surveys – provide a powerful window into the lives of children, including their health, well-being, education, work activities, and working conditions.

Such research can inform policymakers by illuminating the areas where programs, policies, or legislation are most needed. It can also galvanize support or serve as the basis for targeted programs for addressing child labor. When data are used to their fullest potential, they can become a roadmap for policy action. Identifying an issue and monitoring it through timely data collection are the only ways to know whether progress is being made.

Outcomes of Child Labor

How the Plight of an Individual Child Becomes a Global Burden



Sources: Edmonds, E. *GLM-LIC Working Paper No. 11: Economic Growth and Child Labour in Low Income Economies*; April 2016. http://glm-lic.iza.org/publications/synthesis_papers/21/economic-growth-and-child-labour-in-low-income-economies. ILO. *Children in Hazardous Work*. Geneva; 2011. http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_155428.pdf.

ago. Even so, **child labor around the world persists and is, in many places, deeply entrenched and continuing to evolve.** The rate of the decline has progressively slowed over the past four years, as the efforts made by governments and other stakeholders have not expanded in quantity or quality. The findings of the 16th edition of this report reveal that the level

of governments' efforts to address this problem has remained fairly consistent over the past several years. For instance, the percentage of countries achieving the top two assessment levels – Significant Advancement and Moderate Advancement – has leveled off, hovering around 59 percent of the countries included in the report (see Figures 1-2).

Two years ago, the member states of the United Nations adopted the Sustainable Development Goals (SDG), a roadmap for ending poverty, protecting the environment, and promoting peaceful, inclusive, and just societies by 2030. The eighth among these 17 goals is the promotion of “inclusive and sustainable economic growth, full and productive employment, and decent work for all.” Goal 8 contains a specific target, known as Target 8.7, which calls for taking “immediate and effective measures to... by 2025 end child labor in all its forms.” While many countries and their partners are making efforts, realizing this goal will require all countries and other stakeholders to expand and accelerate action. The number and effectiveness of our collective efforts needs to increase. Otherwise, we will fall short of our goal of eliminating child labor by 2025, as is envisioned by Target 8.7 and agreed to by the international community.

The mission of USDOL’s Bureau of International Labor Affairs (ILAB) aligns with SDG Goal 8 and Target 8.7 as we seek to improve global working conditions, raise living standards, protect workers’ ability to exercise their rights, and address the workplace exploitation of children and other vulnerable populations, helping to ensure that workers around the world are treated fairly and able to share more fully in the benefits of the global economy.

Many governments are stepping up; others have yet to do so

Greater awareness of child labor and a resulting commitment to address it have undoubtedly led to change. As this report indicates, many governments continue to improve their responses to these abuses, including through enacting and enforcing laws, coordinating more effectively among stakeholders, establishing policy frameworks, and implementing economic development, education, and social protection programs that invest in and safeguard children.

This report reveals that almost all countries made at least one effort to combat child labor during the year. Many have ratified all of the relevant international conventions and established good legal frameworks that are aligned with international standards. They have done the hard work of putting into place a solid basis from which to address child labor.

Several countries also made important advances in the areas of law enforcement relevant to child labor. For example, Albania increased funding for its

Marking 15 Years of Protecting the Most Vulnerable: Optional Protocols to the Convention on the Rights of the Child

Fifteen years ago, two Optional Protocols to the Convention on the Rights of the Child adopted by the United Nations General Assembly first entered into force, working alongside ILO C. 182’s requirement that countries criminalize the forced recruitment of children for armed services and the use, procuring, and offering of children for commercial sexual exploitation. Yet this anniversary can hardly be called a celebration. The brutality of armed conflict and commercial sexual exploitation continue to ensnare hundreds of thousands of boys and girls globally. These children are victims, whose abhorrent involvement in such activities can put them in an early grave or leave enduring scars, both physical and psychological.

The **Optional Protocol on the Involvement of Children in Armed Conflict**, which has been ratified by 166 countries, is a commitment that States will:

- neither conscript nor send children under the age of 18 to the battlefield;
- prevent such recruitment, including by enacting legislation; and
- demobilize children and provide physical and psychological services to support their recovery and reintegration.

The **Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography**, ratified by 173 member states, obligates governments to criminalize and punish a wide range of activities related to the commercial sexual exploitation of children. The rights and best interests of child victims must be paramount, particularly in interactions with the criminal justice system. Survivors should receive legal, medical, psychological, logistical, and financial support to aid their rehabilitation and reintegration.

These protocols matter. Standing united against these abuses is a matter of great urgency and the collective responsibility of every government and citizen. We urge the member states of the United Nations who have not yet ratified these protocols to join those who have.



© M. Crozet
Young girl cleaning a sty in Lima, Peru.

FIGURE 1

Global Breakdown of Country Assessments

135 countries

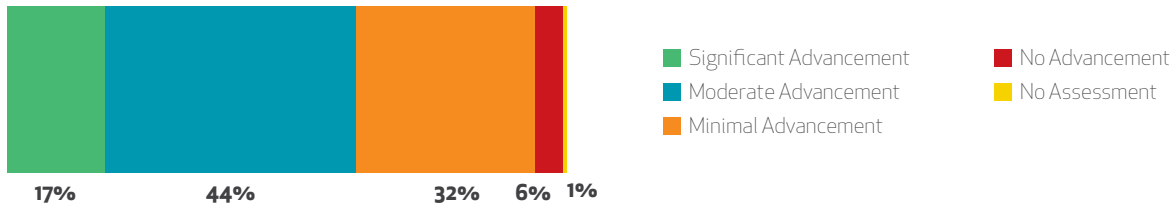


FIGURE 2

Country Assessment by Advancement Level

Significant Advancement 23

Albania	Congo, Democratic Republic of the	Ethiopia	Morocco	Thailand
Argentina	Costa Rica	Ghana	Panama	Tunisia
Brazil	Côte d'Ivoire	Guatemala	Paraguay	Uganda
Chile	Ecuador	Kosovo	Peru	Western Sahara
Colombia		Mali	Philippines	

Moderate Advancement 59

Afghanistan	Chad	Indonesia	Mauritius	Samoa
Algeria	Comoros	Jamaica	Moldova	Serbia
Angola	Egypt	Jordan	Mongolia	South Africa
Bahrain	El Salvador	Kazakhstan	Montenegro	Sri Lanka
Bhutan	Fiji	Kenya	Namibia	St Lucia
Bosnia and Herzegovina	Gambia	Kyrgyz Republic	Nepal	St Vincent and the Grenadines
Botswana	Guinea	Lebanon	Nicaragua	Timor-Leste
Burkina Faso	Guinea-Bissau	Liberia	Niger	Togo
Cabo Verde	Guyana	Macedonia	Nigeria	Turkey
Cambodia	Haiti	Madagascar	Oman	Zambia
Cameroon	Honduras	Malawi	Pakistan	Zimbabwe
Central African Republic	India	Maldives	Rwanda	

Minimal Advancement 43

Anguilla	Cook Islands	Lesotho	Seychelles	Vanuatu
Armenia	Djibouti	Mauritania	Sierra Leone	Venezuela
Azerbaijan	Dominica	Montserrat	Solomon Islands	West Bank and the Gaza Strip
Bangladesh	Dominican Republic	Mozambique	Somalia	Yemen
Belize	Falkland Islands	Norfolk Island	Suriname	
Benin	Gabon	Papua New Guinea	Tanzania	
Bolivia	Georgia	Saint Helena, Ascension, and Tristán da Cunha	Tonga	
British Virgin Islands	Grenada	São Tomé and Príncipe	Tuvalu	
Burundi	Iraq	Senegal	Ukraine	
Congo, Republic of the	Kiribati		Uruguay	

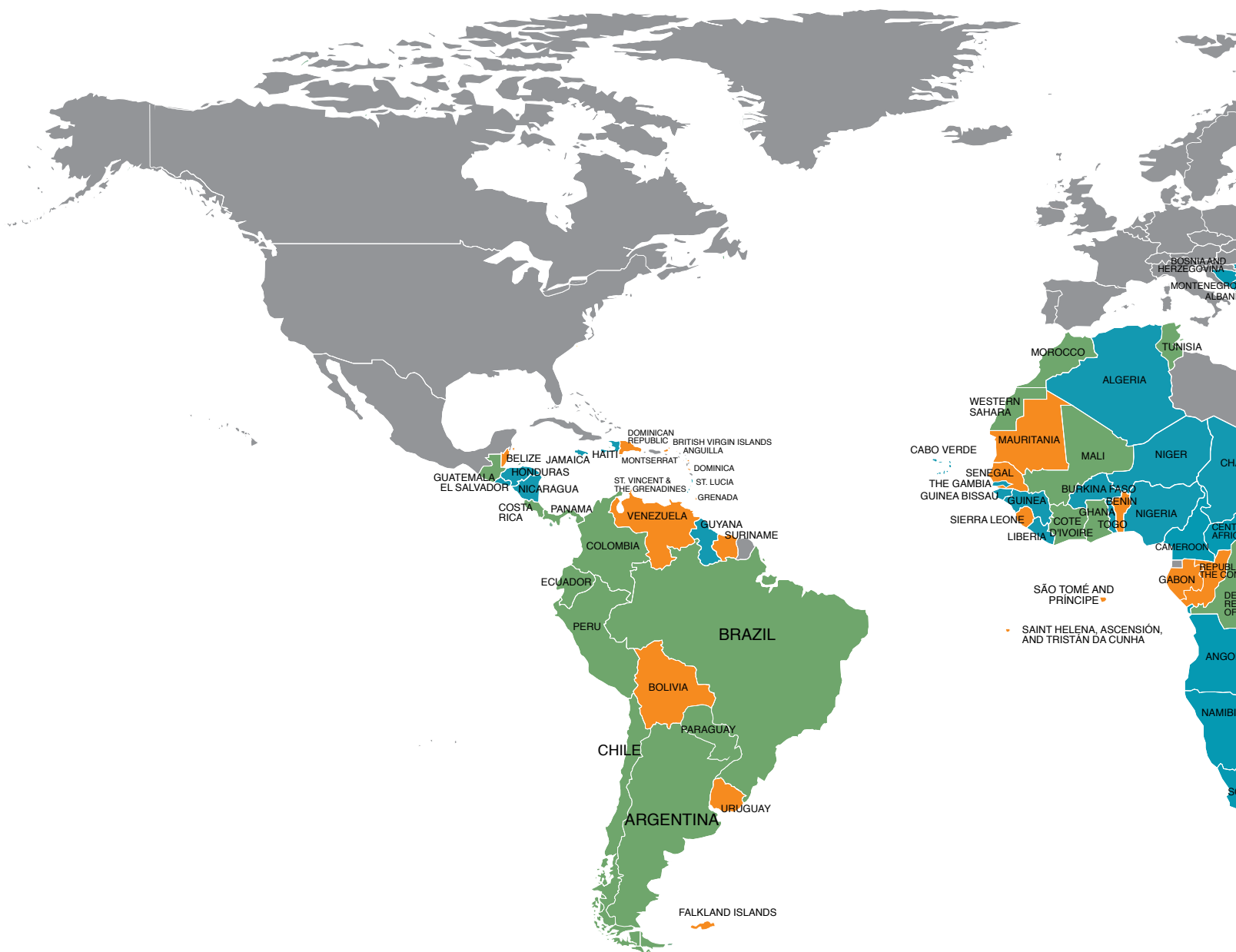
No Advancement 8

Christmas Island	Eritrea	South Sudan	Tokelau
Cocos (Keeling) Islands	Niue	Swaziland	Uzbekistan

No Assessment 2

Burma	Wallis and Futuna
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2016 Assessment of Country Efforts to

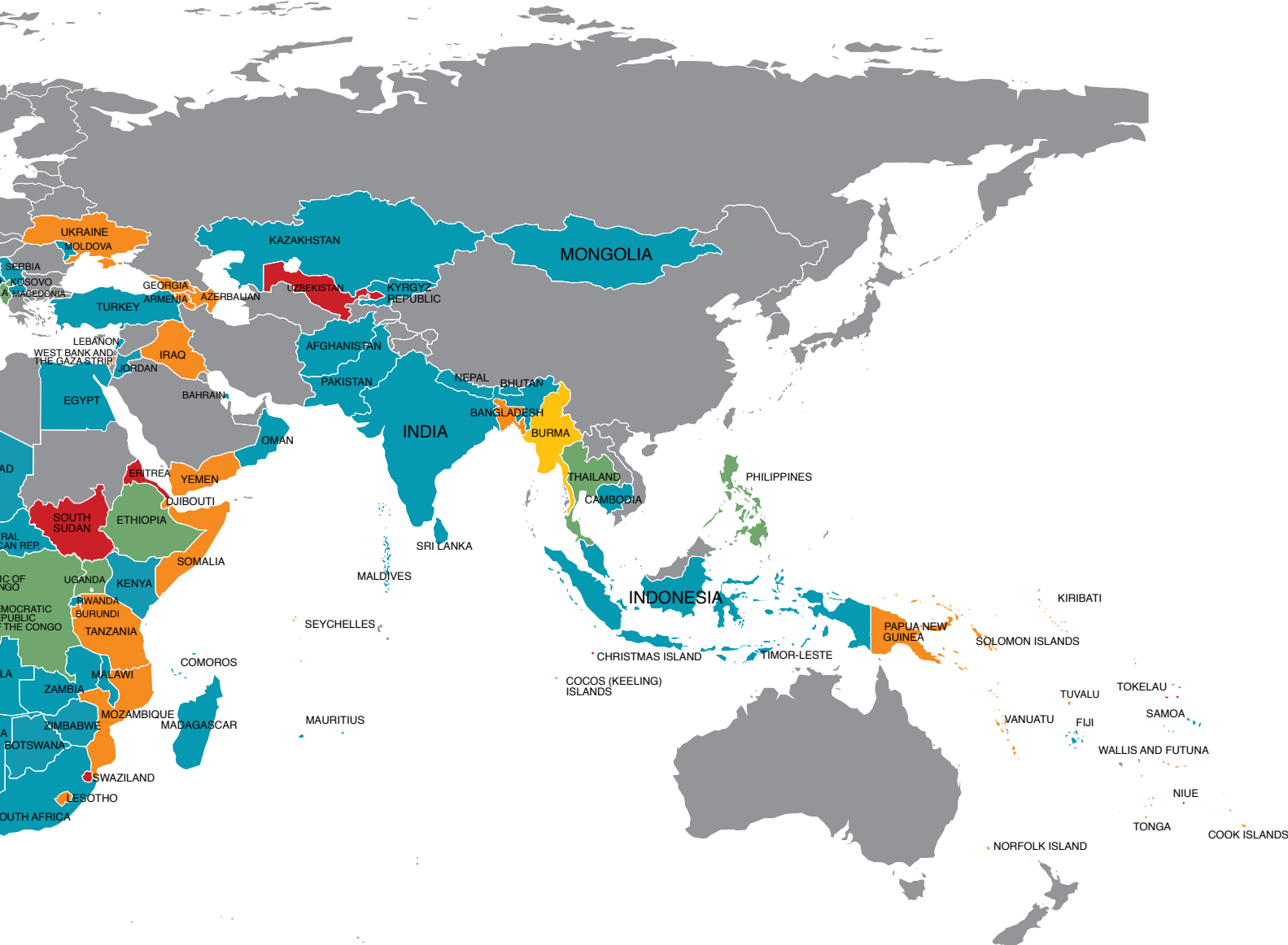


Key

- Significant Advancement
- Moderate Advancement
- Minimal Advancement
- No Advancement
- No Assessment

Map not drawn to scale.

Eliminate the Worst Forms of Child Labor



labor inspectorate in 2016, Ecuador increased its number of labor inspectors by 67 percent, and Togo hired additional labor inspectors for the third year in a row. In Kazakhstan, the Ministry of Education and Science, in cooperation with other government agencies, conducted 45,000 targeted raids in areas where children were likely to be engaged in child labor. Brazilian law enforcement initiated 950 cyber investigations into the commercial sexual exploitation of children, while Burma sanctioned 13 officers and 23 noncommissioned personnel for complicity in the recruitment or use of children in its military, and Belize secured its first ever human trafficking conviction. The Philippine government established an Internet Crimes Against Children Office to combat internet-facilitated

commercial sexual exploitation of children and other forms of internet-facilitated sex trafficking.

Many countries covered in this report also recognize that education is critical to the effective prevention and elimination of child labor, taking positive steps forward during the year. In Honduras, for example, the Ministry of Education invested \$3.5 million to build schools in some of the poorest municipalities, while Nicaragua's Ministry of Education provided more than 700,000 packages of school supplies and 3.9 million textbooks to children in need. The Government of Egypt participated in programs to feed 13.3 million students and expanded access to education to 36,000 children. Burundi, with UNICEF, launched and completed a campaign to provide

Power in Photography: The Role of the Image in Fighting Child Labor



When David Parker packed up his camera and headed to Mexico for his first expedition to document child labor in 1992, he said he had little understanding of how big the problem was and the conditions children faced. "I was surprised what lay just beyond the surface of everyday activity," Parker says.

This was not for a lack of scholarship: Parker had spent years viewing the hazards faced at work through a different lens – in his role running occupational state health programs in his native Minnesota. "Even those of us who study work have often spent little time observing work, and our vision is often sanitized by numbers."

While data may drive policy, Parker sees the image as just as essential. At its best,

he believes, it "presents a reality uncluttered by ideas... and forces us to understand what is basic." It is from this understanding that a will to act is often stirred. "No one is convinced of something by a p-value," Parker says.

Parker has been training his camera on this global scourge for 25 years, or about as long as ILAB has been working to combat child labor worldwide through its research, policy engagement, and programs. In that time, he has amassed a vast catalogue of images of working children, from the garbage dumps in Cambodia to the brick kilns of Nepal.

When he captured this photograph, Parker had been wandering through the chiefdoms of Sierra Leone and happened upon a boy in a small workshop. The resulting image offers a window into the life of just one of the millions of children upon whose backs the global economy remains partly built.

Parker's body of work on a global scale has been compared to that of Lewis Hine, who illuminated the plight of child laborers in the United States in the early 20th century by documenting the work of children in the nation's factories and coal mines. For his part, Parker is a bit more modest: "Standing alone, a photograph may stir us to action but it may fail to provide a coherent direction." For this reason, Parker continues to straddle two worlds, as both an empirical researcher and a documentarian.

While change has been frustratingly slow, Parker does take heart in the progress being made. "It's from the actions of a lot of different people doing a lot of different things," Parker says. "On a good day, I like to think I'm a part of that."

teaching and learning materials to 32,000 teachers and promote equitable access to and retention in school for 2.6 million students.

Although we are encouraged by these and the many other accomplishments governments have made, much more needs to be done in most countries—both in terms of quantity and quality of efforts—to ensure effective labor and criminal law enforcement, as well as coordinating mechanisms and social programs, that offer the protection that children deserve. **While passing good laws and ratifying established conventions are rarely easy and always commendable, many countries are failing to implement those laws and commitments in practice.** Child labor laws are established to ensure that when young people work, the work is safe and does not jeopardize their health, well-being, or educational opportunities. Criminal laws prohibiting the worst forms of child labor are established to ensure that no child is exploited as a modern-day slave. The enforcement of both is critical to preventing and eliminating this problem. However, **laws—even the most perfectly crafted statutes—are meaningless if they are not enforced.**

In 2016, 55 of the 135 governments included in this report made no meaningful efforts to enforce laws related to child labor, including 30 governments that made no known law enforcement efforts whatsoever related to child labor (see Figure 3). Labor law and criminal law enforcement efforts related to child labor issues around the world remained particularly inadequate in rural areas where child labor is prevalent, as well as in the informal sector. At least 70 governments did not meet the ILO's recommended benchmarks for an adequate number of inspectors, and in 4 countries—Armenia, Cambodia, Kyrgyz Republic, and Mongolia—unannounced inspections were not permitted. Forty-one governments have not given their inspectors the authority to assess penalties for labor violations, 10 lacked a mechanism to receive child labor complaints, and 3—Armenia, Georgia, and Somalia—lacked labor inspectorates entirely. **The failure to adequately sanction violations of child labor laws, and secure remediation, maintains a culture of impunity that fails to effectively deter child labor.**

We also see significant gaps around the world in interagency coordination and policy implementation. In 2016, for example, 82 governments made no meaningful efforts to improve their inter-ministerial coordination on child labor issues and 66 countries took no meaningful steps to enact or implement policies related to child labor (see Figure 3).


Of the **135** countries covered in this report:

39 have an adequate number of labor inspectors to meet the ILO's recommendation 

64 authorize their labor inspectorates to assess penalties 

86 conduct routine labor inspections 

79 conducted unannounced inspections in 2016 

106 have a complaint mechanism 

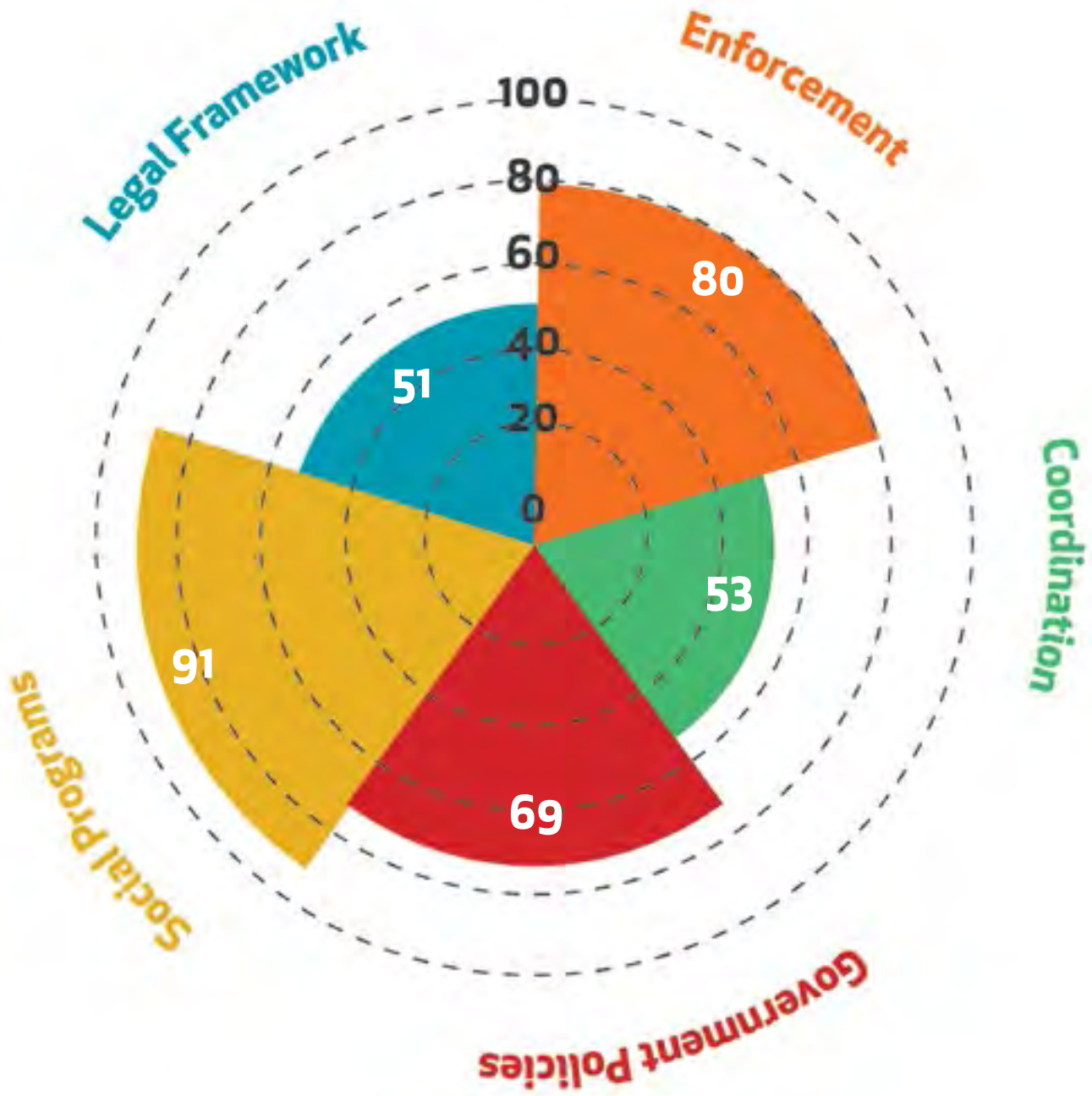
Some governments made positive efforts to address their country's child labor situation during the year, but simultaneously began or continued to take actions that negatively impacted their overall effectiveness. Eleven countries—Armenia, Azerbaijan, Bolivia, the Dominican Republic, Georgia, Iraq, Mauritania, Sierra Leone, Somalia, Tanzania, and Ukraine—implemented or maintained a law, policy, or practice related to education access, minimum age for work, labor inspection, or the recruitment and use of child soldiers that reversed their advancements in eliminating the worst forms of child labor. Four governments—Eritrea, South Sudan, Swaziland, and Uzbekistan—were complicit in the use of forced child labor during the reporting period, whether it be for agricultural or domestic work, public works projects, or participation in armed conflict. The U.S. government joins in with many others to continue to advocate for the speedy resolution of these situations for the well-being of all affected children.



© David Parker
Brick worker, Kathmandu, Nepal, 2015.

FIGURE 3

Total Number of Countries that Undertook Meaningful Efforts to Combat the Worst Forms of Child Labor in Relevant Areas



Total Number of Countries=135

International Days Related to Child Labor



National Slavery and Human Trafficking Awareness Day

JANUARY 11

Calls on businesses, local and national organizations, and all Americans to recognize the vital role we can play in ending all forms of slavery.

International Day against the Use of Child Soldiers

FEBRUARY 12

Raises awareness on the many children around the world that engage in armed conflict. Promotes the ratification of the Optional Protocol to the UN CRC on the Involvement of Children in Armed Conflict.

World Day Against Child Labor

JUNE 12

Raises awareness of the plight of hundreds of millions of girls and boys engaged in child labor worldwide.

World Day Against Trafficking in Persons

JULY 30

Promotes the rights and protection of victims of human trafficking.

International Day of the Girl Child

OCTOBER 11

Incites worldwide support for the betterment of girls' lives, encouraging them to become leaders and reach their full potential.

Universal Children's Day

NOVEMBER 20

Celebrates children worldwide and calls attention to the need to improve children's welfare.

Ending child labor will require "all hands on deck"

How can the international community accelerate the pace of progress against child labor? To help us achieve Target 8.7's goal, as well as the related objectives of ridding the world of forced labor and human trafficking, Alliance 8.7 was launched in September 2016. This is an inclusive and targeted partnership involving governments, workers' and employers' organizations, UN agencies, regional bodies, the private sector, civil society, academia, and other actors. Its mission is to assist all

A Day to Mark on Your Calendar: World Day Against Child Labor, June 12

Hurricane. War. Drought. To many of us, these appear as mere headlines in our newsfeeds. To the people who have experienced them firsthand, events like these can traumatize and permanently alter lives, even of adults. Imagine, then, the effect of such natural disasters and conflicts on children. While the news stories may focus on damage to infrastructure and the financial burden caused by natural disasters or conflict, the physical and psychological damage and burden borne by children is often overlooked. Many of these children lose their families. In the ensuing chaos, some are swept up by opportunists who exploit them for their labor. Likewise, in times of conflict, the collapse of government social services networks can place already at-risk children in more precarious situations, cut off from the help that they need. The ILO is actively working to address these issues and has developed a draft Inter-Agency Toolkit to help humanitarian groups tackle child labor in emergencies.

Every year on June 12th, the ILO seeks to raise awareness about the global plight of child laborers through the World Day Against Child Labor, a worldwide event to foster the global movement against child labor. On June 12th, 2017, the ILO underscored the crippling effects of natural disasters and conflicts on the world's most vulnerable children. Across the world, people came together to commemorate this important day with rallies in India, televised debates in Ghana, and other events with communities, ensuring that the plight of children faced with natural disaster and conflict is not blurred by the next headline.

UN member states in taking immediate and effective measures to eradicate the problems of child labor, forced labor, and human trafficking by increasing awareness of the problems, advocating for high-level commitment to tangible action, establishing more effective policies and action plans, promoting better information-sharing, and initiating other capacity-building activities. This type of concurrent forward movement on multiple fronts will create momentum on several Sustainable Development Goals, as it generates inclusive economic growth, produces opportunities for decent work, increases gender equality, improves access to education, and fosters peace and stability within societies.

The Ministerial Declaration released after the May 2017 G20 Labor and Employment Ministers' Meeting called for "proposals on how to accelerate action to eliminate the worst forms of child labor, forced labor, and modern slavery in global supply chains including identifying high risk sectors, and how to support capacity building in the

countries most affected." In November 2017, government officials and civil society representatives from around the world will convene in Argentina to further strategize a way forward. The main objective of the IV Global Conference on the Sustained Eradication of Child Labor is to increasingly consolidate and accelerate global efforts under Target 8.7. The United States will be an active participant in this gathering, joining with other like-minded stakeholders to more effectively and efficiently translate our knowledge of the problem into action.

This report serves as a key input for Alliance 8.7, the G20 Ministers of Labor, and the Global Conference in Argentina, as it offers an annual snapshot of where child labor can be found, the advances some countries have made in upholding their commitments to abolish it, and where gaps in efforts exist and work remains to be done. It provides a factual base from which to push for the laws, policies, and practices that will bring to reality the goal of allowing all children to achieve their



ALLIANCE

Alliance 8.7: Building a Coalition to Eradicate Child Labor, Forced Labor, and Human Trafficking

In September 2015, the United States and 192 other countries rallied together to support the adoption of the Sustainable Development Goals (SDG). Through SDG Target 8.7, the global community made a renewed commitment to take "immediate and effective measures" to eradicate forced labor, modern day slavery, human trafficking, and child labor in all its forms.

The U.S. Department of Labor's Bureau of International Labor Affairs (ILAB) has long been at the forefront of this fight. Since 1995, ILAB has invested in more than 300 projects that make a meaningful difference in the lives of those vulnerable to forced labor and child labor in more than 90 countries. Our experience has taught us that the best way to tackle this challenge is through a strategic, "all-hands-on deck" approach.

That is why ILAB is supporting Alliance 8.7, a coalition, led by the International Labor Organization, of governments, civil society groups, workers' and employers' organizations, and businesses dedicated to putting an end to child labor, forced labor, and modern-day slavery. To this end, Alliance 8.7 will develop a global data hub to spur data-driven efforts, harness new technologies and foster innovation for enhanced impact, and increase and leverage the resources required to tackle a problem of this magnitude.

Alliance 8.7 is taking off quickly. Already key players in Latin America, North and West Africa, and Asia have convened to identify regional child labor and forced labor concerns and develop actionable strategies for addressing these issues. The momentum will continue to build heading into the IV Global Conference on the Sustained Eradication of Child Labor in Argentina, where the United States and other Alliance members will use new global estimates on child and forced labor to evaluate progress made over the past 4 years, and consider the road still ahead.

The road to eradicating child labor, forced labor, and human trafficking has never been easy; however, the United States, bolstered by the partnership of Alliance 8.7, will continue pushing ahead. We have set our sights on a horizon in which unscrupulous actors no longer prosper at the expense of exploited workers abroad and American workers at home.

Cost of Education

Worldwide, 124 million children and adolescents are unable to enter and complete school. Although countries may offer primary education that is tuition-free, families are often unable to afford the cost of meals, uniforms, school supplies, and transportation.



Source: UNICEF. *The State of the World's Children*; 2016. https://www.unicef.org/sowc2016/index_91478.html.

full potential. Equally as important, it also suggests more than 1,700 country-specific actions that governments could implement in order to progress in their fight against child labor. Of these recommendations, 1,100 relate to improvements in laws and the enforcement of legal statutes, indicating the urgent need for additional progress in these areas.

Governments are key players in this fight, but they cannot end child labor alone. Nor can the private sector or civil society organizations. We know for certain that continued fragmentation of efforts will not achieve the results that we are seeking. Any entity acting in isolation—be it a government, business, or individual citizen—will face limitations. **To be successful, progress must come from actions taken by the full set of actors that have a role to play in this effort.**

Ending child labor requires working together across sectors and regions through sustained dialogue and active partnership among governments, international organizations, businesses, workers' and employers' organizations, civil society, and others. An energized and more strategic global movement, and one that is grounded in targeted partnerships, is the recipe needed for success. Such partnerships, through Alliance 8.7 and beyond, are critical to breaking down information and expertise silos in order to address the root causes of child labor; to lift vulnerable populations out of poverty and social exclusion; and to help them gain access to education and training, stable livelihoods, and decent work.

We believe that these types of partnerships are not simply aspirational, but actually possible. We see many stakeholders collaborating with governments,

leveraging resources and competencies to eliminate child labor in supply chains. The Government of Thailand, for example, collaborated in 2016 with multiple stakeholders to implement a new project to prevent and reduce child labor in the fishing and seafood industry. Cambodia approved guidelines to address child labor in the country's fishing industry and Madagascar participated in a new program to reduce child labor in vanilla production. In addition, Malawi expanded social programs to address child labor and Colombia continued to fund programs to address child labor in mining.

Businesses at all stages of the supply chain are playing a critical role in ensuring that consumer goods are not tainted with child or forced labor. Many businesses are voluntarily pursuing a wide variety of risk mitigation strategies—robust voluntary standards, due diligence, remediation, transparency, and engagement with stakeholders—to ensure that they and their supply chain partners respect national laws and fundamental labor rights. In response to newly released reports, for example, several cosmetics companies and pigment producers, in partnership with the Indian government and NGOs, formed the Responsible Mica Initiative in early 2017 to ensure a clean supply chain, solid legal framework, and healthy living environment for mica-mining communities.

We are also supporting business efforts to address child labor through the launch of a new Global Business Network Against Forced Labor and Human Trafficking by the ILO, which will provide a forum for businesses to collaborate and share good practices to address the complex challenges presented by these often-hidden abuses. Businesses seeking to develop robust social compliance systems for their global production can now

also make use of our newly released comprehensive online resource and complementary mobile application—*Comply Chain: Business Tools for Labor Compliance in Global Supply Chains*—that makes information about voluntary social compliance systems more accessible and user-friendly.

Consumers also have an important role to play by becoming more informed. As consumers, we often have very little information on the origin of the things we buy and the people who produced them. This year's report and its accompanying *Sweat & Toil* mobile application puts detailed and accessible information at consumers' fingertips, so they can start asking questions, taking action, and demanding change. Moreover, the app serves as a resource for consumers to better understand the challenges, opportunities, and complexities inherent in

the struggle to eliminate the worst forms of child labor. We will need many champions to meet Target 8.7 and to end child labor. Every sector of society needs to step up and play its part. This includes individuals letting governments and companies know that meaningful action is important, recognized, and valued—and that inaction is unacceptable.

The clock is ticking. We will not end child labor in the next decade by maintaining the status quo or relying exclusively on current methods of intervention. To achieve this ambitious goal, to gain ground on the problem, the pace of advancement against child labor needs to sharply accelerate. **This year's report provides a detailed roadmap for getting to a world where the dignity of work is respected and the rights of children are protected—for their sake and for ours.**

The Worst of the Worst Forms of Child Labor: Spotlight on Child Trafficking and Forced Child Labor

Addressing issues of child trafficking and child forced labor has grown to be of great international concern. New global estimates from the ILO and WalkFree indicate that approximately 25 million men, women, and children are in forced labor, meaning they are trafficked, held in debt bondage, forced into commercial sexual exploitation, or working under slave-like conditions. For more than 20 years, ILAB has been recognized as a global leader in combatting the trafficking of adults and children for labor and commercial sexual exploitation through our technical assistance programs and policy engagement. In 1995, for example, ILAB became the first U.S. Government agency to fund a project specifically aimed at tackling the commercial sexual exploitation of children in Thailand. Since then, ILAB's programming to combat trafficking and forced child labor has expanded to some of the most challenging environments and sectors in the world – from deep sea fishing in Indonesia and brick kilns in Nepal to cocoa farming in Côte d'Ivoire and Ghana.

In the wake of the devastating 2015 earthquake in Nepal, for example, the USDOL-funded Country Level Engagement and Assistance to Reduce Child Labor II (CLEAR II) project has been working with local government officials in the municipality of Panauti to incorporate child labor and child trafficking prevention into its Disaster Management Plan to ensure that children are safe from traffickers and those who would exploit them for labor or commercial sexual purposes. The CLEAR II project, implemented by Winrock International and partners Verité and Lawyers Without Borders, aims to work with governments in seven countries to build their capacity to address child labor in the areas of legislation and regulations, monitoring and enforcement, national plans of action, and social policies and programs.

ILAB also contributed directly to the ILO's development of the groundbreaking Forced Labor Protocol and Recommendation to ILO C. 29 on Forced Labor, which aims to advance forced labor prevention, protection, and compensation measures around the world.

ILAB then helped turn policy into action by funding a project — *From Protocol to Practice: A Bridge to Global Action on Forced Labor* — that will help countries implement this new protocol and more effectively fight trafficking and forced labor. As of the end of 2016, the project has supported work that has contributed to 10 countries ratifying the protocol. Among these ratifications is Mauritania – the last country in the world to have abolished slavery. The project has also developed a Web platform and new content for the 50 for Freedom campaign in order to increase awareness of the protocol and recommendation, and to support countries seeking to ratify the protocol. Take a stand to End Modern Slavery at <http://50forfreedom.org/>.





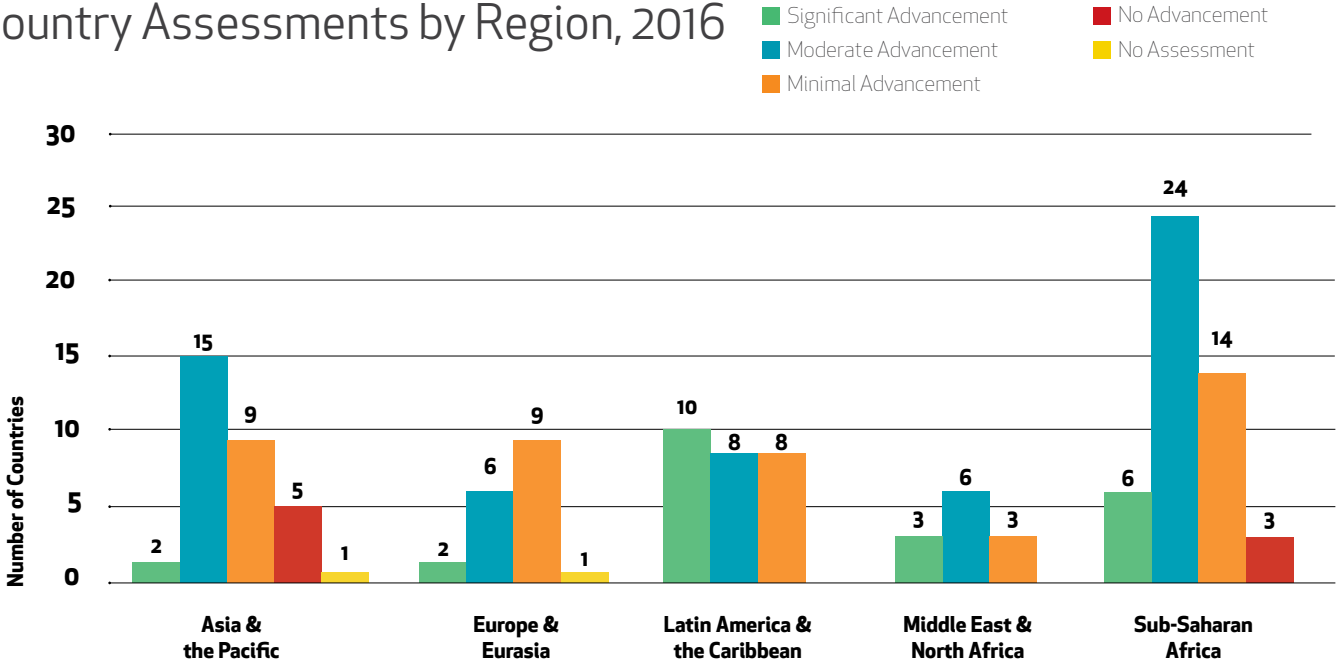
© David Parker
Garbage Picker, Phnom Penh, Cambodia, 2016.

Regional Analysis of Government Efforts and Country Assessments

This 2016 report includes a regional analysis of country assessments, as well as regional trends in government actions to eliminate the worst forms of child labor. Figure 4 provides a regional breakdown of the country assessments. All five regions had at least two countries receive an assessment of Significant Advancement, with Latin America and the Caribbean with **ten** countries, followed by Sub-Saharan Africa with **six** countries, the Middle East and North Africa with **three** countries; Asia and the Pacific with **two** countries; and Europe and Eurasia with **two** countries. The remaining portion of this discussion reviews trends and gaps in efforts to eliminate child labor, including its worst forms, by region.

FIGURE 4

Country Assessments by Region, 2016




Asia and the Pacific

FIGURE 5
2016 Regional Outlook



62.1 million children ages 5-17 are engaged in child labor

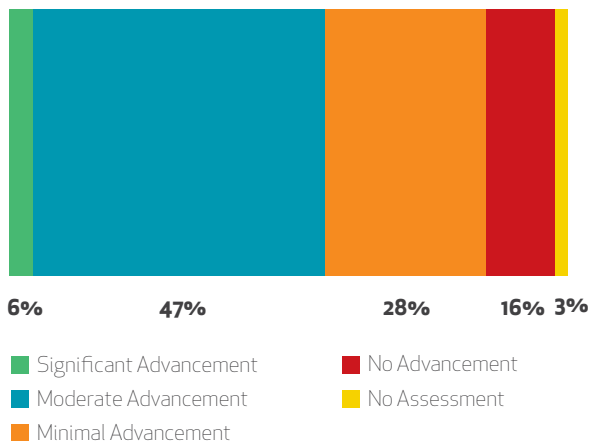
KEY  = 1,000,000 children

Meaningful Efforts

- Adopted laws that establish a minimum age for work and a minimum age for hazardous work.
- Removed children from child labor as a result of labor inspections.
- Launched national action plans to combat the worst forms of child labor.

In Asia and the Pacific, 62.1 million children ages 5 to 17, or 7.4 percent of all children in the region, are engaged in child labor.⁽¹⁾ Figure 5 provides an overview of the regional outlook. This is close to 16 million fewer child laborers in 2016 compared with 2012. In addition, this is the first time since the ILO released its global estimates on child labor that Asia and the Pacific does not have the highest absolute numbers of child laborers.⁽¹⁾ Children perform dangerous tasks in agriculture and as domestic workers in third-party households. Children also engage in the worst forms of child labor, including in commercial sexual exploitation. In 2016, while only 2 of the 32 Asian and Pacific countries covered in this report received an assessment of Significant Advancement (the Philippines and Thailand), countries across Asia and the Pacific made meaningful efforts to eliminate the worst forms of child labor. These efforts included adopting laws that

32 countries



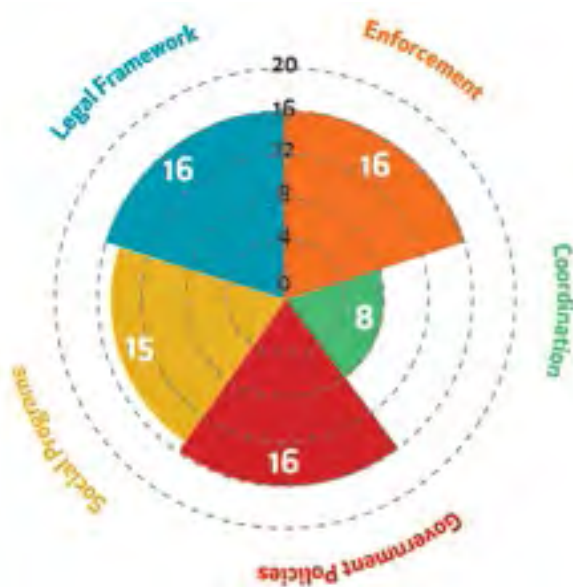
Challenges and Existing Gaps

- Laws do not adequately prohibit the use of children in illicit activities, including for the production and trafficking of drugs.
- Labor inspectors lack the authority to conduct inspections at informal workplaces and to assess penalties.
- Children face persistent obstacles to access education, including lack of schools and prohibitive costs to attend school.

establish a minimum age for work and a minimum age for hazardous work, identifying and removing children from child labor as a result of labor inspections, and launching national action plans to combat the worst forms of child labor. However, additional efforts need to be undertaken to prevent and eliminate child labor, including ensuring that laws adequately prohibit the use of children in illicit activities, authorizing labor inspectors to conduct inspections at informal workplaces, and eliminating barriers to education.

In 2016, one country made meaningful efforts, but had a practice of being complicit in the use of forced child labor: Uzbekistan, where forced child labor occurred in more than an isolated incident during the 2016 cotton harvest. In addition, Burma received no assessment in 2016 because this is the first year that efforts have been

Number of Countries in Asia & the Pacific that Undertook Meaningful Efforts to Combat the Worst Forms of Child Labor in Relevant Areas



Number of Countries=32

assessed and suggested actions provided for Burma. While Burma made meaningful efforts, its national army continued to use some children as combatants, porters and cooks in conflict areas.

In 2016, several governments in Asia and the Pacific adopted laws related to child labor, including its worst forms. Burma, India, and Pakistan's Punjab and Sindh provinces passed legislation that established minimum ages for work and hazardous work. The Philippines revised and expanded its list of hazardous work prohibited for children under age 18, and Thailand adopted a ministerial regulation to protect children under age 18 from hazardous work in seafood processing establishments. Afghanistan passed legislation to prohibit child trafficking for commercial sexual exploitation, the Solomon Islands criminalized commercial sexual exploitation broadly, and Cambodia adopted a law that prohibits the use of minors for forced labor while they are held in juvenile detention facilities.

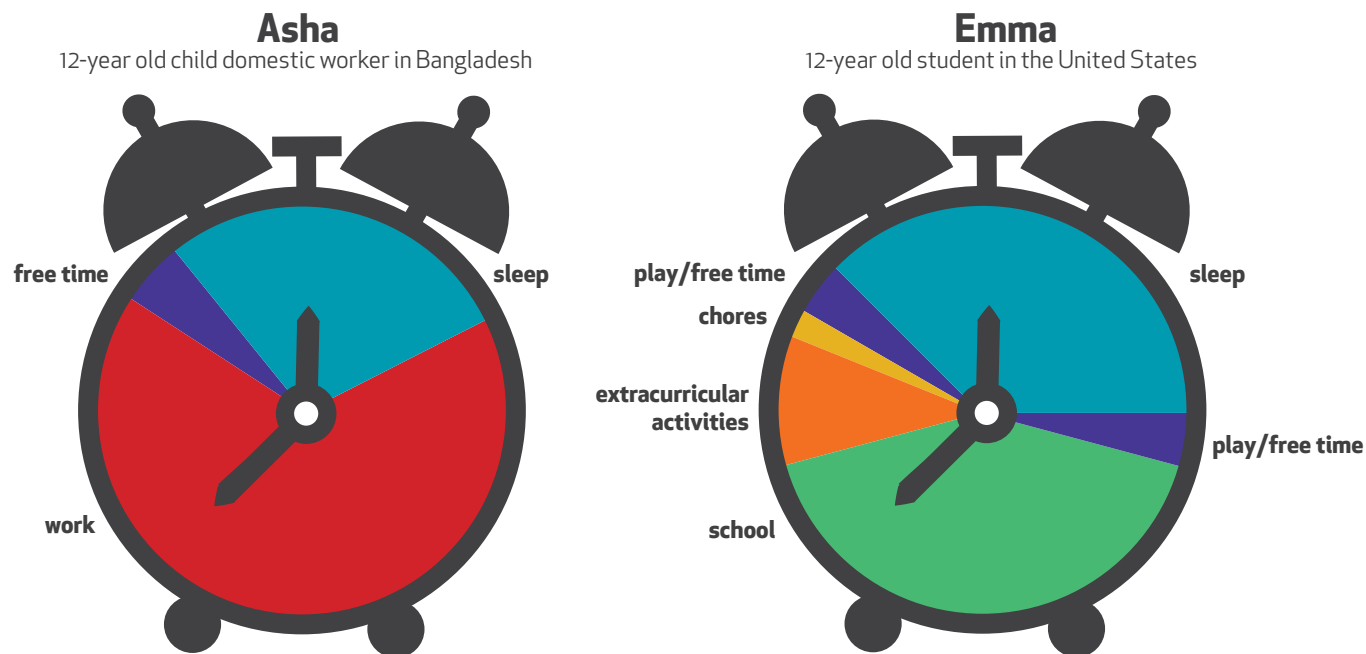
Countries in the region also increased the capacity of law enforcement agencies to combat child labor, including its worst forms. Afghanistan, Bhutan, Fiji, the Philippines, and Thailand increased their numbers of labor inspectors and Cambodia issued standardized guidance on how to conduct child labor inspections. Of the 32 countries in Asia and the Pacific covered in this report, 17 provided training to labor inspectors and 15 provided training to criminal law enforcement officials. Both the Philippines and Thailand established law enforcement agencies to combat Internet-facilitated commercial sexual exploitation of children. Nepal's police also developed a training curriculum that addresses child labor issues and trained officers with this new curriculum. In addition, Indonesia, Kazakhstan, Pakistan's Punjab Province, the Philippines, and Sri Lanka conducted targeted inspections of workplaces with a high risk of child labor and removed children engaged in prohibited work.

Several governments improved policy frameworks and established social programs to protect children from the worst forms of child labor. Cambodia, Kazakhstan, and the Kyrgyz Republic launched national action plans to combat the worst forms of child labor, and Afghanistan adopted a policy to incentivize families to prevent their children from working in carpet weaving and enroll them in school. The Philippines set a new goal of withdrawing one million child laborers by 2022. Several countries designated additional geographic areas as child labor free, including industrial zones in Indonesia, 5 additional municipalities in Nepal, 79 additional districts in the Philippines, and 19 additional districts in Sri Lanka.

In addition, countries in East Asia, Southeast Asia, and the Pacific Islands attended a sub-regional consultation workshop in Thailand on achieving UN Sustainable Development Goal 8.7 that focuses on ending child labor, forced labor, modern slavery, and human trafficking. Furthermore, the South Asia Initiative to End Violence Against Children held a sub-regional consultation on Goal 8.7 in Bhutan. Both consultations were held in preparation for the IV Global Conference on the Sustained Eradication of Child Labor, which will be hosted by Argentina in November 2017. During the year, many countries in the region also supported regional policies (Table 1) and participated in programs (Table 2) to address child labor, including its worst forms.

Despite efforts in addressing child labor in the region, many countries lack adequate legal protection against the worst forms of child labor, especially with regard to hazardous work. For example, 7 countries have a minimum age for hazardous work below the international

A Day in the Lives of Two Children*



*Note: Estimates of time based on [Emadul Islam, Khaled Mahmud, Naziza Rahman. "Situation of Child Domestic Workers in Bangladesh" *Global Journal of Management and Business Research Finance*, 13(7)(2013); https://globaljournals.org/GJMFR_Volume13/4-Situation-of-Child-Domestic-Workers-in-Bangladesh.pdf] and [United States Census Bureau. *Measuring America: A Child's Day: At a Glance*. March 17, 2015. https://www.census.gov/library/visualizations/2015/comm/childs_day_2015.html]

Table 1: Key Regional Policies Related to Child Labor in Asia and the Pacific

Policy	Description
Regional Action Plan for the Prevention and Elimination of All Forms of Child Labor in South Asia (2016–2021) [†]	Seeks to prevent and eliminate all forms of child labor in South Asia by strengthening the institutional capacity of the South Asia Initiative to End Violence Against Children and increasing collaboration among its members, which include Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, and Sri Lanka. ⁽²⁾
Association of Southeast Asian Nations (ASEAN) Convention Against Trafficking in Persons, Especially Women and Children	Establishes a regional anti-human trafficking framework among 10 ASEAN member states to improve coordination on the investigation and prosecution of trafficking in persons cases and enhance assistance for victims. In 2016, Thailand and Cambodia ratified the convention. ^(3,4)
Beijing Declaration on South-South Cooperation for Child Rights in the Asia Pacific Region	Commits signatories to advancing efforts to protect children's rights, including pertaining to child labor, child trafficking, and child pornography. Includes 29 signatories, including Afghanistan, Bangladesh, Bhutan, Burma, Cambodia, Fiji, India, Indonesia, Kiribati, Maldives, Mongolia, Nepal, Pakistan, Papua New Guinea, Philippines, Samoa, Sri Lanka, Thailand, Timor-Leste, and Vanuatu. ⁽⁵⁾
United Nations Development Assistance Framework for the Pacific Region (2013–2017)	Promotes sustainable development and economic growth for vulnerable groups in 14 Pacific Island countries and territories: Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Palau, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, and Vanuatu. ⁽⁶⁾

[†] Policy was approved during the reporting period.

Table 2: Key Regional Social Programs to Address Child Labor in Asia and the Pacific

Program	Description
Pacific Sub-Regional Child Labor and Trafficking Program	ILO-supported program that expands the work and lessons learned from the TACKLE program in Fiji to Kiribati, Samoa, and Solomon Islands. ⁽⁷⁾ Activities include conducting research, raising awareness, and building government capacity to address child labor. ⁽⁸⁾
Asia-Australia Program to Combat Trafficking in Persons (2013–2018)	\$45 million Australian Aid-funded, 5-year regional and national-level project implemented in ASEAN countries, including Cambodia, Indonesia, Myanmar, Philippines, Thailand, and Vietnam. Seeks to build the capacity of regional and national stakeholders to improve the investigation, prosecution, and adjudication of human trafficking cases and to enhance coordination at the regional level. ⁽⁹⁾

standard of 18 years; 9 countries only provide a general prohibition and do not identify specific hazardous occupations or activities prohibited for children; and 9 countries' hazardous work prohibitions are not comprehensive. Laws prohibiting the commercial sexual exploitation of children do not adequately criminalize the use, procuring, and offering of children for prostitution, pornography, and pornographic performance in Bangladesh, Burma, Cambodia, Maldives, Mongolia, Nepal, Pakistan, and seven Pacific Island countries. Furthermore, 19 countries in the region have not adequately prohibited the use of children in illicit activities because the use, procuring, and offering of children for both the production and trafficking of drugs are not criminalized.

Many countries in the Asia and Pacific region lacked the authority and resources necessary to enforce laws related to child labor, including its worst forms. Labor inspectorates in 6 countries lack the authority to conduct inspections in the informal sector, particularly domestic

work in private homes where many children work. Labor inspectorates also do not have the authority to assess penalties in 9 countries and unannounced inspections are not permitted in Cambodia, Christmas Island, Cocos (Keeling) Islands, the Kyrgyz Republic, and Mongolia. In addition, 14 countries in the region did not have a sufficient number of labor inspectors according to the ILO's recommendation.⁽¹⁰⁾

Children in the Asia and Pacific region face significant obstacles to accessing education. Five countries have not established an age up to which education is compulsory and 5 countries have compulsory education ages that are below the minimum age for work, which increases children's vulnerability to child labor because they are not required to be in school but are also not legally permitted to work. Free primary education has also not been established by law in 7 Pacific Island countries. In addition, prohibitive costs associated with education, such as books, uniforms, and teacher fees, prevent children from attending school in 11 countries.



© Steve McCurry/Magnum Photos
AFGHANISTAN. Badakhshan. 1992.
Children work in an opium field in northern Afghanistan.

Child Labor in Palm Oil Production: Everyday Products At Your Local Store

What makes ice cream smooth and creamy and keeps chocolate from melting? What makes laundry detergents tough on stains? The answer is palm oil, which is in approximately half of the packaged products we buy at the supermarket. Palm oil is in everything from lipstick to pizza dough, from non-dairy creamers to automotive cleaners. It is even used to make biodiesel fuels. While the cultivation of palm has been an important motor of economic development around the globe, including in Southeast Asia, which accounts for more than 85 percent of the world's product, the supply is often tainted by child labor. In Indonesia and Malaysia, for example, children are compelled to work alongside their parents, who often must meet harvest quotas to avoid wage deductions and other penalties. On the plantations, they are exposed to toxic chemicals and risk injury from carrying heavy loads. Children toiling in the palm oil industry—whether in Southeast Asia, Africa, or Latin America—often work long hours and miss school.

What are leading producers and retailers doing to combat child labor in the global palm supply, and how can consumers make informed decisions at the supermarket? Since 2013, palm oil producers Agropalma (Brazil), DAABON (Colombia), and Musim Mas (Singapore) have partnered with a set of global brands that includes Danone, Ferrero, and L'Oréal to form the Palm Oil Innovation Group (POIG), a group that also includes the labor rights NGOs Verité and the International Labor Rights Forum, as well as key environmental watchdogs. Its mission is to build on the advances that the Roundtable on Sustainable Palm Oil (RSPO) has made to combat child labor. Companies signing the POIG Charter must certify that all of their palm production confirms to the RSPO standard, as well as that of subsidiaries and third-party suppliers, within 2 years. In addition, POIG members must demonstrate, through published and independent, third-party verification, additional social and environmental standards across all operations. This means maintaining a clear policy and compliance system that prohibits child labor, including its worst forms, throughout a member's supply chain. By certifying that operations conform to rigorous standards, POIG creates market recognition for the leading companies in the RSPO, and encourages a race to the top. This could not be timelier, given that the global production of palm oil has doubled in the past decade and is expected to continue to increase rapidly.

- **Chocolate**



- **Cookies**



- **Detergent**



- **Instant noodles**



- **Lipstick**



- **Margarine**



- **Non-dairy creamer**



- **Packaged bread**



- **Pizza dough**



- **Shampoo**



Did you know that nearly
50% of
packaged supermarket
products contain
palm oil? 

*Based on DOL's research,
the listed 13 countries have
limited to significant evidence
of child labor in the production of palm oil:*

- Burundi • Cameroon
- Côte d'Ivoire • Ecuador • Ghana
- Guatemala • Indonesia • Malaysia
- Papua New Guinea • Philippines
- Sierra Leone • Solomon Islands
- Uganda

Sources: Palm Oil Innovation Group. *Palm Oil Innovations Labour Rights*; 2016.

<http://poig.org/wp-content/uploads/2016/11/POIG-Innovations-Publication-Labour-Rights-November-2016.pdf>.

Palm Oil Innovation Group. *POIG Members*, [cited August 11, 2017]; <http://poig.org/poig-members/>. Palm Oil Innovation Group. *Palm Oil Innovations Group Charter*; November 2013. <http://poig.org/wp-content/uploads/2014/09/POIG-Charter-v1.pdf>. Amnesty International. *The Great Palm Oil Scandal: Labor Abuses Behind Big Brand Names*; November 2016. <https://www.amnesty.org/en/documents/asa21/5243/2016/en/>.

UNICEF. *Palm Oil and Children in Indonesia*; October 2016. https://www.unicef.org/indonesia/Palm_Oil_and_Children_in_Indonesia.pdf.

World Wildlife Fund. *Which Everyday Products Contain Palm Oil?*, [cited August 11, 2017];


<https://www.worldwildlife.org/pages/which-everyday-products-contain-palm-oil>.

Europe and Eurasia

FIGURE 6
2016 Regional Outlook



5.5 million children ages 5-17 are engaged in child labor

KEY  = 1,000,000 children

Meaningful Efforts

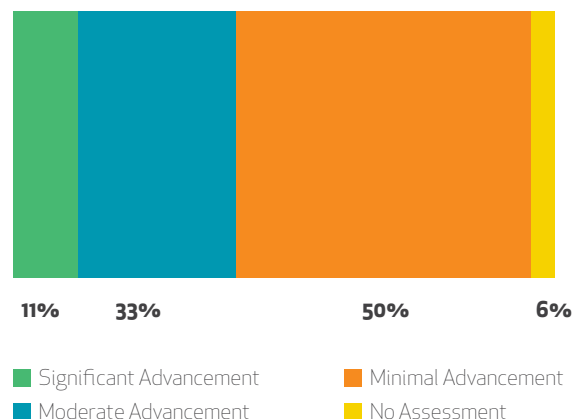
- Adopted laws prohibiting the worst forms of child labor.
- Trained law enforcement personnel to combat child labor, including its worst forms.
- Conducted and published research on child labor, including national child labor surveys.

Challenges and Existing Gaps

- Countries lacked fully functioning labor inspectorates.
- Prohibitions on the use of children in illicit activities, including for the production and trafficking of drugs, are insufficient.
- Minorities and other disadvantaged children face barriers to accessing education.

Regional statistics on child labor for Europe and Eurasia are available for the first time. Figure 6 provides an overview of the regional outlook. In 2016, 5.5 million children ages 5 to 17, or 4.1 percent of all children in the region, are engaged in child labor. ⁽¹⁾ Children in this region perform dangerous tasks in agriculture and street work. Children also engage in the worst forms of child labor, including in commercial sexual exploitation and forced begging, each sometimes as a result of human trafficking. In 2016, only 2 of the 18 countries covered in this report received an assessment of Significant Advancement: Albania and Kosovo. However, countries in Europe and Eurasia did make meaningful efforts to eliminate the worst forms of child labor, including by adopting laws that prohibit the worst forms of child labor; training law enforcement personnel to combat child labor, including its worst forms; and conducting and publishing research on

18 countries



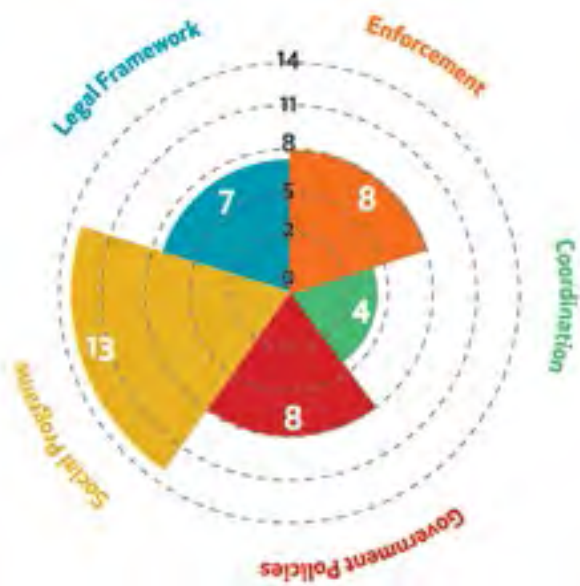
child labor. Despite these gains, countries in the region need to undertake additional efforts to prevent and eliminate child labor, including by establishing fully functioning labor inspectorates; ensuring that the use of children for illicit activities, including for the production and trafficking of drugs, is prohibited; and eliminating barriers to education for minorities and other disadvantaged children.

In 2016, three countries made meaningful efforts, but failed to remedy a regressive or significantly detrimental law that was established in previous years that delayed advancement in eliminating the worst forms of child labor: Armenia lacked a functioning labor inspectorate to enforce child labor laws due to a continued moratorium on inspections, and Georgia lacked a functioning labor inspectorate to enforce child labor laws since its labor inspectorate was abolished in 2006. Ukraine also failed to fully lift bureaucratic restrictions on the State Labor Service's ability to conduct inspections, including for child labor, and Azerbaijan made meaningful efforts, but introduced a regressive practice during the reporting period that imposed a moratorium on all labor inspections not initiated by a formal complaint, which effectively curtailed labor inspections in 2016.

In 2016, several countries adopted laws prohibiting the worst forms of child labor. Moldova passed a law increasing penalties for involving children in the worst forms of child labor, including for forced labor, illicit

activities, and the production of pornography. Ukraine amended the Law on the Protection of Childhood to establish a criminal penalty for the use of children in armed conflict, and the Federation of Bosnia and Herzegovina criminalized all forms of human trafficking, including child trafficking for forced labor and sexual exploitation, within its jurisdiction. Armenia also passed legislation that requires the Government to provide financial restitution to victims of human trafficking, including child trafficking victims.

Number of Countries in Europe & Eurasia that Undertook Meaningful Efforts to Combat the Worst Forms of Child Labor in Relevant Areas



Number of Countries=18

Countries in the region also improved their capacity to enforce laws related to child labor, including its worst forms. For example, both Kosovo and Albania increased funding to their labor inspectorates; Azerbaijan provided all labor inspectors with training on international

conventions and national legislation regarding child labor; and labor inspectors in Azerbaijan and Bosnia and Herzegovina received training on identifying victims of human trafficking, including children. In Turkey, local law enforcement established and trained 33 units to combat crimes against woman and children, including child trafficking. Kosovo also provided criminal investigators with training on legislation related to the commercial sexual exploitation of children and the use of children in the production of pornography. In addition, 6 of the 18 countries in the region—Albania, Armenia, Georgia, Kosovo, Montenegro, and Ukraine—trained criminal investigators and other law enforcement personnel on enforcing laws against human trafficking.

During the year, European and Eurasian countries conducted and published research on child labor. Azerbaijan conducted sectoral research on child labor in high-risk sectors of the service industry, and Armenia and Georgia published national child labor surveys. The Government of Moldova also committed to strengthening statistics on child labor through the adoption of a Decent Work Country Program. In addition, countries funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. Turkey provided social services and enrolled approximately 300,000 Syrian refugee children in school, many of whom were involved in child labor in Turkey. Kosovo and Serbia took steps to improve the inclusion of vulnerable populations, including Roma children, in the education system. Macedonia also nearly doubled funding for programs dedicated to combating human trafficking, including child trafficking, and Albania increased the amount of cash transfers its social assistance program provides to vulnerable families by 25 percent.

However, there are a number of challenges that impede progress in addressing child labor in the region. Six countries, including Anguilla; the British Virgin Islands; Kosovo; Montserrat; Falkland Islands; and Saint Helena, Ascension, and Tristán da Cunha lack sufficient prohibitions on the use of children in illicit activities, including for the production and trafficking of drugs. Bosnia and Herzegovina, the British Virgin Islands, and Georgia do not have comprehensive hazardous work prohibitions, which limits the capacity of labor inspectors to identify and remove children from dangerous labor situations. In Azerbaijan, children without written labor contracts are excluded from protection by the Labor Code, and similarly, Turkey

lacks legal protections for children working in small agricultural enterprises.

Gaps in labor law enforcement remain in the region. The number of labor inspectors in Armenia, Turkey, and Ukraine is insufficient for the size of the workforce according to the ILO's recommendation. Labor inspectorates in Albania, Kosovo, Moldova, Serbia, and Ukraine also lack funding for training, equipment, and/or transportation for inspectors, which compromises the quality of inspections.

Across the region, refugee and migrant children, children who have been internally displaced, and children who

belong to ethnic minority groups, such as the Roma, continued to experience challenges in accessing education. Despite Turkey's significant efforts to expand access to education for school-aged Syrian refugees, many refugee children living in urban areas remained unable to access education due to language barriers or an inability to pay for tuition and transportation to school. Migrant children, many of whom are Syrian, also faced difficulties enrolling in schools in Serbia. Other common barriers to education in Europe and Eurasia include discrimination, lack of support for Roma children and children with disabilities, and distance to schools. Out-of-school children are particularly vulnerable to the worst forms of child labor.

Child Labor Enforcement: How Many Labor Inspectors Is Enough?

Labor inspectors are on the front lines of defense against children's work that is dangerous, exploitative, and jeopardizes their future. Simply put, countries need a properly functioning labor inspectorate with a sufficient number of labor inspectors if they hope to effectively enforce existing labor laws, including those related to child labor. But how can countries determine this "sufficient number?" To answer this question, the International Labor Organization (ILO) has indicated that governments should take into account two important variables: the number of workers employed in workplaces liable to inspection and the country's level of economic development.

This reasonable benchmark should approach:

- **One inspector for every 10,000 workers in industrial market economies;**
- **One inspector for every 15,000 workers in industrializing economies;**
- **One inspector for every 20,000 workers in transition economies; and**
- **One inspector for every 40,000 workers in less developed countries.**


For example, an economy in transition such as Serbia, with a total workforce of approximately 3,141,000 should employ at least 157 inspectors to provide adequate coverage of its workforce. In Serbia's case, the Government exceeded this standard in 2016, employing 240 labor inspectors. However, Serbia is in the minority. Only 39 of the 135 countries covered in this report met the ILO benchmark in 2016, highlighting a concrete area for improvement among many of the countries analyzed. For more information on these standards, see the ILO's *Strategies and Practice for Labour Inspection*, Geneva, Committee on Employment and Social Policy, November 2006.

Latin America and the Caribbean

FIGURE 7
2016 Regional Outlook



10.5 million children ages 5-17 are engaged in child labor

KEY  = 1,000,000 children

Meaningful Efforts

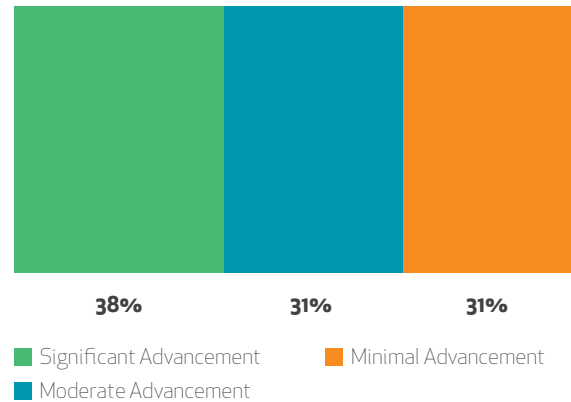
- Adopted laws prohibiting the use of children in the worst forms of child labor.
- Increased efforts to enforce criminal laws related to the worst forms of child labor, including child trafficking and forced labor.
- Conducted and published research on child labor.

Challenges and Existing Gaps

- Failure to identify the types of hazardous work prohibited for children.
- Insufficient number of labor inspectors for the size of the workforce to effectively enforce child labor laws.
- Social programs do not have adequate funding to address child labor in key sectors and among vulnerable populations.

In Latin America and the Caribbean, the number of children in child labor continues to decrease. Figure 7 provides an overview of the regional outlook. In 2016, 10.5 million children ages 5 to 17, or 7 percent of all children in the region, were engaged in child labor.⁽¹⁾ This is 2 million fewer children in 2016 compared with 2012. However, children in Latin America and the Caribbean perform dangerous tasks in agriculture and domestic work. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. In addition, many migrant children, as well as children of indigenous and African descent, remain particularly vulnerable to the worst forms of child labor.⁽¹¹⁻¹³⁾ In 2016, 10 of the 26 countries covered in this report received an assessment of Significant Advancement: Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, Guatemala, Panama, Paraguay, and Peru. Countries throughout the region

26 countries

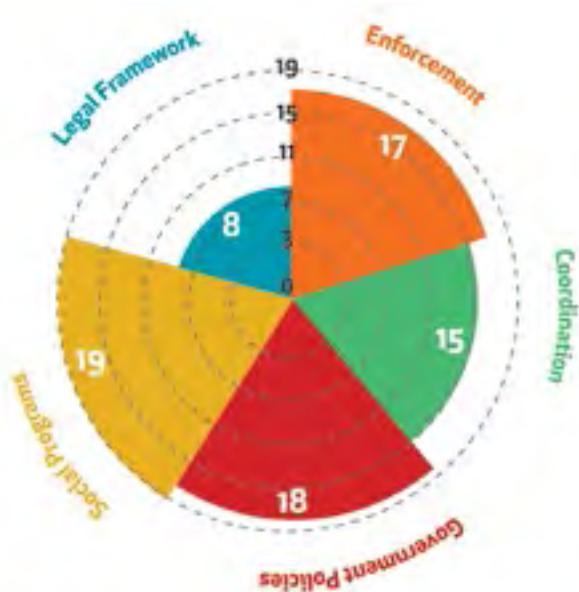


made meaningful efforts, including by adopting laws that prohibit the worst forms of child labor, increasing efforts to enforce criminal laws related to child trafficking and forced labor, and conducting and publishing research on child labor. Despite these achievements, additional efforts are needed to prevent and eliminate child labor in Latin America and the Caribbean, including identifying the types of hazardous work prohibited for children, employing a sufficient number of labor inspectors for the size of the workforce to effectively enforce child labor laws, and providing adequate funding for social programs to address child labor in key sectors and among vulnerable populations.

In 2016, two countries made meaningful efforts in relevant areas but failed to remedy a regressive or significantly detrimental law or practice that was established in previous years that delayed advancement in eliminating the worst forms of child labor: Bolivia, where children as young as 10 years old are permitted to be self-employed under certain conditions, and the Dominican Republic, where some children are vulnerable to labor exploitation due to limitations on educational opportunities.

During the year, countries in Latin America and the Caribbean continued to develop comprehensive legal protections to prevent and eliminate child labor, including its worst forms. For example, Argentina passed a law defining the types of hazardous work prohibited

Number of Countries in Latin America & the Caribbean that Undertook Meaningful Efforts to Combat the Worst Forms of Child Labor in Relevant Areas



Number of Countries=26

for children under age 18. Panama updated its existing list of hazardous work for children and established a minimum age for hazardous work within training establishments. Dominica also continued efforts to develop a hazardous work list for children, while Chile began the process of updating its own list. In addition, Panama and Argentina became the first two countries in the region to ratify the Protocol of 2014 to ILO C. 29 on Forced Labor, which commits governments to prevent and eliminate forced labor, including of children, and provide victims with protection and compensation.⁽¹⁴⁾ Furthermore, Brazil passed a new law that criminalizes human trafficking for labor and commercial sexual exploitation, and El Salvador approved regulations to strengthen enforcement of the Special Law Against Trafficking in Persons, including the referral of criminal child labor cases between law enforcement and social services agencies.

Several countries increased efforts to enforce criminal laws related to the worst forms of child labor in 2016. Belize and Haiti achieved their first child trafficking convictions under recently passed anti-trafficking in persons laws. Brazil trained 120 state police officers on the investigation of child sexual exploitation on the Web, leading to the initiation of 950 cyber-investigations on the commercial sexual exploitation of children. Argentina also opened two regional offices dedicated to the rescue and care of trafficking victims, and Paraguay's Office of the Attorney General rescued 35 indigenous workers, including 7 children, who were victims of forced labor on a farm in the Chaco region.

Throughout the region, many countries funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. In 2016, more than half of the Latin American and Caribbean countries covered in this report implemented cash transfer programs in which assistance was conditioned on families sending their children to school. A prominent example is Brazil's *Bolsa Familia* program, which was expanded for the fifth consecutive year. In addition, Costa Rica's Ministry of Labor and Social Security launched a scholarship program with the Joint Institute for Social Aid to cover educational expenses for children engaged in child labor. Jamaica also introduced a Transportation Allowance Grant to subsidize the cost of school transportation for vulnerable children. Furthermore, many countries made schooling more accessible to impoverished children who might otherwise engage in child labor by providing meals and supplies. Notable examples include the continued expansion of the School Meals Program in Honduras, which now reaches more than 1.3 million students, and the National School Supplies Program in Nicaragua, which provided more than 700,000 packages of school supplies and 3.9 million textbooks to children in need. Many countries in the region also supported regional policies (Table 3) and participated in a regional program (Table 4) to address child labor, including its worst forms. Of particular note is the Regional Initiative, which unites governments, employers, and workers from 26 countries throughout the Latin America and Caribbean region in their efforts to combat child labor in support of Target 8.7 of the UN Sustainable Development Goals.

In 2016, several countries in the region conducted or published research on the nature and prevalence of child labor. Costa Rica, Jamaica, and Panama conducted national child labor surveys during the year, while Chile conducted two qualitative studies on child labor in the agricultural and commercial sectors. Also in 2016, Peru published results from the 2015 National Child Labor

Table 3: Key Regional Policies Related to Child Labor in Latin America and the Caribbean

Policy	Description
Regional Initiative: Latin America and the Caribbean Free of Child Labor	Aims to accelerate efforts to eliminate child labor in the region by 2025, in line with Target 8.7 of the UN Sustainable Development Goals. ⁽¹⁵⁾ Commits the 27 member states to combat child labor through increased regional and intergovernmental cooperation; participation from workers' and employers organizations; and efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. ⁽¹⁵⁻¹⁸⁾ In 2016, promoted the adoption of a policy framework focused on prevention efforts and leveraging existing social protection and education policies and services to combat child labor. ⁽¹⁵⁾
MERCOSUR Child Labor and Forced Labor Policy Initiatives	Aims to prevent and eliminate child and forced labor, including by raising public awareness and increasing coordination among member states. These policies include the Social Labor Declaration of 2015, the United Against Child Labor Campaign, and the Southern Child Initiative. Additional information is available on the MERCOSUR Web site.
XIX Inter-American Conference of Ministers of Labor	Promotes decent work with social inclusion throughout the Americas. Held in Cancún, México, in December 2015, participating countries adopted the Declaration of Cancún 2015, which aims, in part, to foster policies to eliminate labor exploitation, including child labor, and to promote education and vocational training for youth. ^(19, 21) Participating countries also adopted a Plan of Action that prioritizes the elimination of child labor, including through data collection, enforcement of labor laws, and the development of social protection policies for children and families. ^(19, 21)



© M. Crozet
Young girl carrying bricks in La Paz (Alto), Bolivia.

Survey, El Salvador published results from the child labor module of the 2015 Multipurpose Household Survey, and Paraguay published results from the 2015 Survey of Activities of Rural Area Children and Adolescents. Gathering such data and making it publicly available allows stakeholders to generate recommendations and implement targeted policies and programs to address child labor.

Despite substantive efforts made during the reporting period, several countries in the region have gaps in their legal framework to adequately protect children from child labor. For example, the minimum age for work in Belize and Bolivia does not conform to international standards as it is set below the age of 14. In addition, 8 of the 26 countries lack prohibitions on hazardous work that conform to ILO C. 182. For example, laws in Belize, Dominica, Guyana, Panama, and Peru provide exceptions to the minimum age for hazardous work that do not fully protect all children under age 18. In addition, Grenada has not established legal provisions identifying hazardous work prohibited for children. Furthermore, prohibitions on child commercial sexual exploitation are inadequate in Belize, Dominica, Grenada, and Guyana. These same countries, as well as Jamaica, Saint Lucia, and Saint Vincent and the Grenadines, also lack prohibitions on using children in illicit activities, including in the production and trafficking of drugs.

YouthBuild: Building Pathways Out of Violence for At-Risk Youth



© Stephany Rodriguez, CRS El Salvador
Axel Morales, a participant in a USDOL-funded program for youth in high-crime areas of El Salvador, 2017.

At age 16, Axel Morales knew a lot about fending for himself. His father was dead, his mother had abandoned him, and his older brother was at the violent and crime-ridden epicenter of El Salvador’s ongoing gang crisis. He wasn’t attending school because he couldn’t afford the cost of school supplies, and the future looked bleak. He started spending his time on the rough streets around his home in Soyapango, El Salvador, where he was one of the many young people at risk of being recruited into illicit activities – one of the worst forms of child labor. Then Axel’s life changed. He met an educator named Carlos, who works for the organization *Fe y Alegría* (Faith and Joy). Carlos invited Axel to join a program called YouthBuild, which helps at-risk youth like him develop life and technical skills, and supports them in transitioning into their first job. Axel began a sewing course and re-enrolled in the seventh grade through an alternative education program. Through YouthBuild’s partnerships with local employers, he is learning how to write a resume and excel at job interviews. His self-esteem and his outlook have improved as a result. “I’m proud to have changed the direction

of my life,” he said, “I like doing homework and having the opportunity to study again. If I hadn’t enrolled in YouthBuild, I would surely have fallen in with the wrong crowd.”

The YouthBuild program is supported by a USDOL-funded project in El Salvador and Honduras called Youth Pathways–Central America, implemented by Catholic Relief Services in partnership with *Fe y Alegría* and Glasswing.

Table 4: Key Regional Social Programs to Address Child Labor in Latin America and the Caribbean

Program	Description
Regional Action Group for the Americas (<i>Grupo de Acción Regional para las Américas</i>)	Prevention and awareness-raising campaigns conducted to combat the commercial sexual exploitation of children in Latin America. Members include Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, Mexico, Paraguay, Peru, and Uruguay. ⁽²²⁾

Gaps in labor law enforcement remain in many countries in the region. Eighteen of the 26 Latin American and Caribbean countries covered in this report did not have a sufficient number of labor inspectors for the size of the workforce according to the ILO’s recommendation. Fifteen countries also decreased their number of labor inspectors in 2016. A shortage of labor inspectors impedes governmental efforts to identify and sanction child labor violations, including in remote areas. The majority of labor inspectorates in the region also lack the necessary resources to carry out their mandates, and labor inspectors in 7 countries do not receive sufficient training. In addition, labor inspectorates in 12 countries are not authorized to assess penalties and 5 countries’ labor inspectorates did not conduct targeted labor inspections.


Many countries in the region also need to allocate additional resources for social programs to address child labor. For example, 14 countries in the region need more programming targeting child labor in agriculture; 5 countries – Bolivia, Guyana, Honduras, Peru, and Suriname – need to strengthen programs to address child labor in mining; and 4 countries – Argentina, Bolivia, Colombia, and Jamaica – need additional programs to assist children engaged in street work. More programs are also needed for children from rural, indigenous, and Afro-descendant communities to improve access to education and to reduce their vulnerability to child labor, including its worst forms.

Middle East and North Africa

FIGURE 8
2016 Regional Outlook



3.3 million children ages 5-17 are engaged in child labor

KEY  = 1,000,000 children

Meaningful Efforts

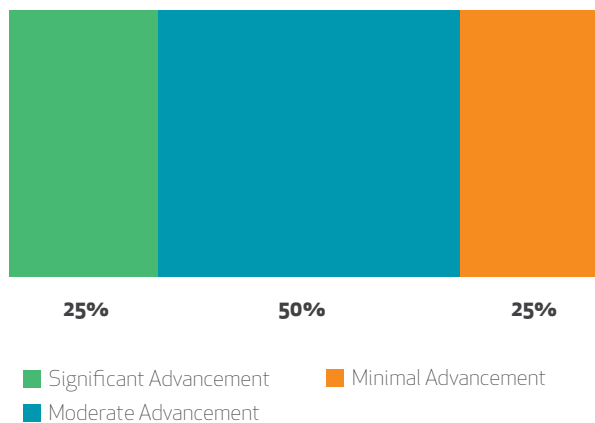
- Adopted laws prohibiting the worst forms of child labor, particularly child trafficking.
- Increased access to education for refugee children.
- Conducted and published research on child labor.

Challenges and Existing Gaps

- Hazardous work prohibitions do not adequately protect children.
- Limited capacity to enforce child labor laws due to inadequate resources, including an insufficient number of labor inspectors.
- Insufficient social programs to prevent and eliminate child labor, particularly to assist children recruited and used for armed conflict.

In the Middle East and North Africa, 3.3 million children are engaged in child labor, which is 3.4 percent of all children in the region.⁽¹⁾ Figure 8 provides an overview of the regional outlook. Children perform dangerous tasks in agriculture and street work. Children also engage in the worst forms of child labor, including commercial sexual exploitation and armed conflict. In 2016, 3 of the 12 countries and territories covered in the region received an assessment of Significant Advancement: Morocco, Tunisia, and Western Sahara. Countries in the Middle East and North Africa made meaningful efforts by adopting laws prohibiting the worst forms of child labor, increasing access to education for refugee children, and conducting and publishing research on child labor. Despite these efforts, additional actions are needed to prevent and eliminate child labor in the region, including by ensuring that hazardous

12 countries

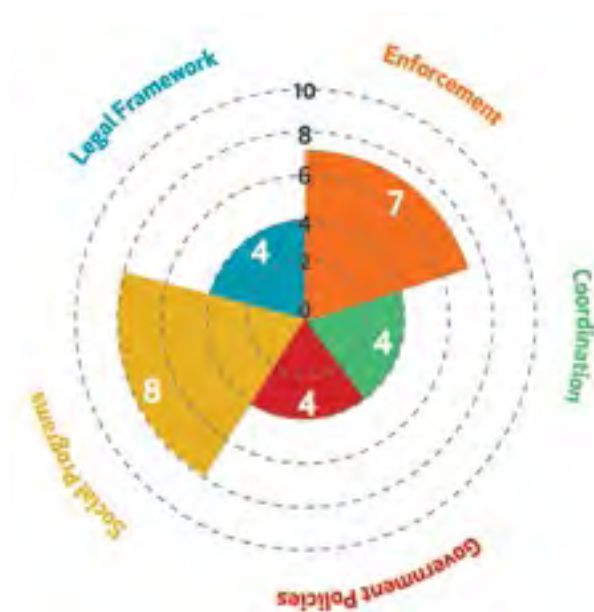


work prohibitions adequately protect children, strengthening the labor inspectorate's capacity to enforce child labor laws, and supporting additional social programs to assist children recruited and used for armed conflict. In addition, Iraq made efforts during the reporting period, but implemented a regressive practice that delayed advancement in eliminating the worst forms of child labor as some Popular Mobilization Forces used children to engage in armed conflict.

In 2016, countries in the region adopted laws and regulations on child labor, including its worst forms. Tunisia passed legislation that for the first time provides a comprehensive definition for human trafficking crimes, addresses child trafficking, strengthens punishments for offenders, and contains provisions for providing support to victims. Morocco also passed legislation to improve protections for children against child trafficking, as well as legislation to limit the employment of children between the ages of 16 and 18 in domestic work. In addition, Oman issued regulations outlining the occupations in which children can safely work.

During the year, countries also conducted and published research on child labor, and launched and implemented programs to improve access to education and eliminate child labor. For example, Jordan released a summary report of its National Child Labor Survey, while Oman released the country's first major report on child labor.

Number of Countries in the Middle East & North Africa that Undertook Meaningful Efforts to Combat the Worst Forms of Child Labor in Relevant Areas



Number of Countries=12

Lebanon conducted a study on child labor and Tunisia agreed to conduct a national child labor survey with the ILO's assistance. Tunisia also launched a project to build the capacity of government institutions to support the implementation of the Child Labor National Action Plan. Egypt enrolled Syrian refugee children in formal or non-formal education, and Lebanon and Jordan expanded programs to enroll more refugee children into schools.

Despite efforts made to address child labor, some countries have weak legal protections for children engaged in hazardous work. Algeria has not determined by national law or regulation the types of hazardous work that are prohibited for children. In Morocco, hazardous work prohibitions do not cover all sectors that may be dangerous and where child labor is known to occur. In addition, Tunisia's hazardous work prohibitions are not comprehensive.

In 2016, inadequate resources hampered the labor inspectorate's capacity to enforce child labor laws in the

region. Three countries lacked a sufficient number of labor inspectors for the enforcement of child labor laws given the size of the workforce: Iraq, Lebanon, and Morocco. Seven countries lacked financial resources to enforce child labor laws, and only 7 countries carried out routine child labor inspections. In addition, information on child labor law violations and crimes related to the worst forms of child labor was not publicly available for most countries.

Children in the region were also recruited and used for armed conflict. In Iraq, the Islamic State of Iraq and Syria (ISIS also known as ISIL), and

Displaced Children: The Impact of Conflict on Access to Education

More than 75 million children are currently out of school in 35 crisis-affected countries, with girls being 2.5 times more likely to be out of school than boys.⁽²³⁾ Although half of the world's 3.5 million refugee children of primary school age attend classes, less than one-quarter of the nearly 1.95 million secondary school-age refugees are enrolled.⁽²⁴⁾ For many displaced children, poverty and policies that prevent parents from obtaining legal work push school out of reach and make child labor more likely. In Lebanon, for example, humanitarian agencies documented a sharp increase in the worst forms of child labor among children in 2015.⁽²⁴⁾ Often children who do not work cannot afford school-related costs, such as fees, uniforms, and notebooks.

Physical, social, economic, policy, and linguistic barriers to education dim children's hope for the future and prevent them from acquiring the tools and skills they need to contribute to their host and home communities. This carries repercussions for the security, stability, and economic well-being of all countries in which these children reside.⁽²⁴⁾ For instance, UNICEF calculated the "total economic loss" from lower lifetime earnings for the 1.9 million Syrian children who dropped out of school within the country over the course of a year due to the conflict to be \$10.7 billion. These children's lowered earning potential will also drive up the cost of the aid and government assistance they need in order to survive.⁽²⁵⁾

In May 2016, humanitarian donors and UN agencies launched Education Cannot Wait, a global fund that aims to support education for 75 million children and young people affected by emergencies each year by raising \$3.85 billion by 2020.⁽²³⁾



© Bridgetter Auger, 2013:
Safa'a, 12, from Idlib, Syria, picks zucchini next to Abu Hussein Derobi tent settlement in Al Dalhamaya, home to about 450 people, most of whom are children. She has been working in the fields for five months. She spends six hours in the morning earning 6,000LL and three hours in the afternoon making 3,000LL. Her mother works in the refrigeration section of a potato chip plant and also makes 6,000LL per day. Her father does not have a job. She is one of seven girls and one boy. "I'd like to go to school and become a doctor, but nothing comes the easy way."

groups fighting ISIS, recruited and used children as informants and suicide bombers, and to oversee checkpoints. In Yemen, the Houthis, *Al Qaeda* in the Arabian Peninsula, the Houthi-affiliated Popular Committees, tribal militias, and forces affiliated with the Republic of Yemen Government recruited and used children as checkpoint guards and soldiers. Children in Lebanon were also involved in armed violence.


Iraq and Yemen did not have programs to rehabilitate and reintegrate child soldiers back into their communities. Iraqi children, internally displaced due to the armed conflict, also had insufficient access to education. Furthermore, 9 of the 12 countries in the region lacked the programs necessary to adequately address other worst forms of child labor, including child trafficking. Countries in the region also did not establish regional policies or participate in regional programs during the reporting period.

Sub-Saharan Africa

FIGURE 9
2016 Regional Outlook



70 million children ages 5-17 are engaged in child labor

KEY  = 1,000,000 children

Meaningful Efforts

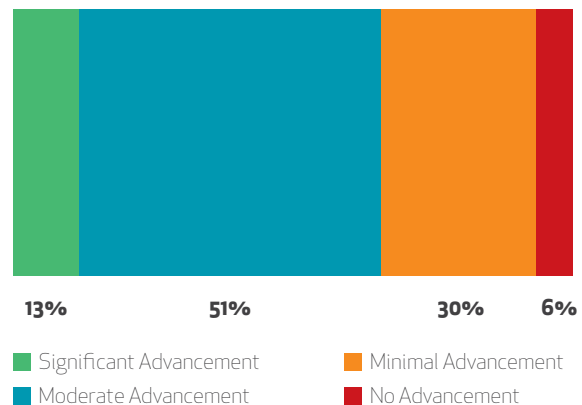
- Increased resources for criminal law enforcement agencies to combat the worst forms of child labor.
- Adopted policies that aim to increase the capacity of law enforcement.
- Launched new and expanded existing social programs to prevent or eliminate child labor.

Challenges and Existing Gaps

- Children continue to be recruited and used in armed conflict.
- Key international conventions on child labor have not been ratified.
- Labor inspectors lack the resources necessary to enforce child labor laws.
- Social protection programs are insufficient to address the scope of the problem.

In Sub-Saharan Africa, 70 million children, or 22 percent of all children in the region, are engaged in child labor. Figure 9 provides an overview of the regional outlook. This is the first time since global estimates were released in 2000 that Sub-Saharan Africa has surpassed all other regions in terms of the absolute numbers of children in child labor.⁽¹⁾ Children

47 countries



perform dangerous tasks in agriculture, mining, and domestic work. In 2016, 6 of the 47 countries covered in the region received an assessment of Significant Advancement: the Democratic Republic of the Congo, Côte d'Ivoire, Ethiopia, Ghana, Mali, and Uganda. Other countries in the region also made meaningful efforts to address child labor by providing additional resources for criminal law enforcement agencies to combat the worst forms of child labor, adopting policies that aim to increase the capacity of law enforcement, and launching new and expanding existing social programs to prevent or eliminate child labor. Nevertheless, more work remains to be done to prevent and eliminate child labor in Sub-Saharan Africa, including by addressing the continued recruitment and use of children in armed conflict, ratifying international conventions on child labor, increasing resources for labor inspectors to enforce child labor laws, and adopting social protection programs to prevent and eliminate the worst forms of child labor.

In 2016, 4 countries made meaningful efforts to eliminate the worst forms of child labor, but also continued a regressive or significantly detrimental policy or practice during the reporting period that delayed advancement in eliminating the worst forms of child labor. Mauritania required proof of marriage

and biological parents' citizenship in order to get a birth certificate, preventing many children from being registered at birth and accessing secondary education. Sierra Leone did not permit pregnant girls to attend school or take national exams. Somalia recruited and used children in armed conflict in violation of its own law, which sets the minimum age for military recruitment at 18. Tanzania regulated access to secondary education through successful completion of the Primary School Leaving Exam, which students may take just once; however, as students complete primary education at the average age of 14, children in Zanzibar who fail the exam are both barred from formal education and unable to legally work, as Zanzibar's minimum age for work is 15 years.

Three countries also had a policy or demonstrated a practice of being complicit in the use of forced child labor in more than an isolated incident in 2016: South Sudan's national army forcibly recruited and used children in armed conflict; local chiefs in Swaziland forced children to engage in agricultural and domestic work; and Eritrea forced children to participate in agricultural, environmental, or hygiene-related public works projects during the annual summer holidays from school.

Countries increased resources for criminal law enforcement agencies to combat the worst forms of child labor. The Government of Mauritania created new Regional Anti-Slavery Courts to prosecute crimes related to slavery and provide free legal assistance to victims, including children. Niger trained district and magistrate courts on trafficking in persons and illicit migrant smuggling, and conducted awareness campaigns about the forced begging of children. The Government of Nigeria established an anti-human trafficking training center to increase the capacity of law enforcement officials to combat child trafficking for labor and sexual exploitation. The Kenyan police also developed a Child Protection Unit to investigate cases of child exploitation, including commercial sexual exploitation of children. In addition, Botswana sponsored a human trafficking training that included judges, prosecutors, and police officers from 10 Sub-Saharan African countries, and Mali trained child protection officials on best practices for child soldier referrals.

During the year, countries adopted new policies that aim to prevent and eliminate the worst forms of child

Number of Countries in Sub-Saharan Africa that Undertook Meaningful Efforts to Combat the Worst Forms of Child Labor in Relevant Areas



Number of Countries=47

labor, including several policies that aim to increase the capacity of law enforcement. Gabon adopted an action plan that aims to increase prosecutions for child trafficking crimes and shorten the length of time that victims spend in shelters awaiting trial. Chad approved a national policy that aims to strengthen the capacity of their labor inspectorate to combat the worst forms of child labor. The Central African Republic also launched a National Recovery and Peacebuilding Plan that aims to disarm and reintegrate children associated with armed groups, and Guinea-Bissau adopted a Code of Conduct Against Sexual Exploitation in Tourism. In addition, countries in the region also supported regional policies to address child labor, including its worst forms (Table 5).

During the reporting period, countries also launched new and expanded existing social programs with

Table 5: Key Regional Policies Related to Child Labor in Sub-Saharan Africa

Policy	Description
Bilateral Agreements to Combat Child Trafficking	Agreements between Burkina Faso, Côte d'Ivoire, and Mali that call for increased cooperation against cross-border trafficking in persons. ⁽²⁶⁻³⁰⁾ The Government of Burkina Faso has established monitoring committees to review the agreement with Côte d'Ivoire and Mali. ⁽³⁰⁾ Burkina Faso's National Training Institute of Social Workers partners with its counterpart in Chad to share experiences and best practices in combating human trafficking. ⁽²⁷⁾
Treaty of Amity and Cooperation	Framework to strengthen cooperation between Côte d'Ivoire and Burkina Faso to combat child trafficking and prevent child labor in artisanal gold mines. ⁽²⁹⁾

the goal of preventing or eliminating child labor. Mali launched the National Disarmament, Demobilization, and Reintegration Program for former combatants, including children. Niger started a program to reduce child labor in agriculture, and Madagascar launched a program with the ILO to reduce child labor in vanilla-producing areas. Many governments in the region also conducted awareness-raising campaigns for targeted sectors, including Sierra Leone's anti-child labor campaigns in fishing and quarrying communities, and Liberia's program to prevent children from street vending in urban areas. In addition, five governments – Ethiopia, Ghana, Malawi, Nigeria, and Uganda – adopted or expanded cash transfer programs to ensure that vulnerable children are able to attend school. Countries also participated in a regional program to combat child labor (Table 6).

Despite the gains made in addressing child labor during the year, Sub-Saharan Africa faced many challenges. In 2016, terrorist activity and civil conflict impeded governments' ability to address the worst forms of child labor. The terrorist group Boko Haram recruited nearly 2,000 children in Nigeria and neighboring countries for use in armed conflict.⁽³³⁾ As a consequence, more than 1.4 million children in Nigeria and the Lake Chad region have been displaced from their homes, and some children have been forced to drop out of school.^(34, 35) In addition, children in Cameroon, Central African Republic, Democratic Republic of the Congo, Mali, Somalia, and South Sudan were forcibly recruited and used for armed conflict by non-state armed groups; children were recruited and used for armed conflict by state armed groups in Somalia; and children were recruited, sometimes by force, by South Sudan's national army.

Although the governments of Mali and Mauritania ratified the ILO Protocol of 2014 to the Forced Labor Convention in 2016, there is still an urgent need for governments to ratify international conventions on child labor. Nine countries – Central African Republic, Comoros, Gambia, Liberia, Mauritania, São Tomé and Príncipe, Somalia, South Sudan, and Zambia – have not yet ratified the UN CRC Optional Protocol on the Involvement of Children in Armed Conflict. Eight countries – Cameroon, Ghana, Kenya, Liberia, São Tomé and Príncipe, Somalia, South Sudan, and Zambia – have not ratified the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. In addition, five countries have not ratified the Palermo Protocol, including Comoros, Republic of the Congo, Somalia, South Sudan, and Uganda.

Gaps in labor law enforcement remain in many countries in the region. Twenty-nine countries did not have a sufficient number of labor inspectors for the size of the workforce according to the ILO's recommendation, and 41 labor inspectorates had inadequate financial resources to effectively enforce child labor laws. Labor inspectorates in 14 countries also are not authorized to assess penalties for child labor violations. In addition, most countries' law enforcement bodies did not collect comprehensive statistics on child labor and lacked resources and trained personnel.

During the reporting period, 6 countries lacked a national policy to guide efforts to eliminate the worst forms of child labor. Most countries in Sub-Saharan Africa also do not have national social protection programs to cope with the effects of poverty and to provide vulnerable children with access to education. Furthermore, many countries in the region do not have social programs that target sectors with a high prevalence of child labor and did not participate in regional programs to combat child labor during the reporting period.

Table 6: Key Regional Social Programs to Address Child Labor in Sub-Saharan Africa

Program	Description
Community of Portuguese-Speaking Countries (CPLP) Against Child Labor	South-South cooperation project supported by the ILO. In January 2016, government officials from Angola, Brazil, Cabo Verde, Guinea-Bissau, Mozambique, Portugal, São Tomé and Príncipe, and Timor-Leste met and developed a Plan of Activities for 2016: CPLP's Year Against Child Labor. In August, the group reviewed the results achieved under the Plan, and began developing a system to monitor and evaluate activities. ^(31, 32)

Innovation in the Face of Crisis: Responding to the Needs of Children During the Ebola Outbreak

The USDOL-funded Actions to Reduce Child Labor (ARCH) project in Liberia demonstrated a unique approach to reducing child labor in a challenging environment through innovation and holistic design. Amid generational cycles of poverty and exploitative working conditions – and in the throes of the worst Ebola crisis the country had ever experienced – the \$6.2 million dollar project, implemented by Winrock International, managed to withdraw 6,100 children and youth engaged in child labor



© Winrock International, ARCH Project Team, 2016. Model Farm School Students display their produce at a local market in Karnwee village. The ARCH project introduced 80 young people in Karnwee to vegetable production as an alternative source of income.

in rubber plantations, prevent 4,000 children at high risk of engaging in child labor, and provide 3,700 families with village savings and loans programs. ARCH also instituted school feeding programs to fight the subsequent rise in food insecurity. These efforts dramatically increased attendance rates for the children enrolled in the program and deterred them from engaging in hazardous work. Critically, ARCH focused on shared community-based solutions by collaborating with the ministries of Agriculture and Education to unite educators, students, parent-teacher associations, and food producers to grow, store, and prepare food for students. To foster accountability and raise awareness, *Champion Communities* were selected for their success in increasing access to education and reducing child labor in their areas. This holistic best practice has prevented Liberian children from engaging in a cycle of hazardous work throughout their lives.

The U.S. Experience

The Federal Government of the United States has several key responsibilities with regard to children and youth—namely, to help ensure that they are protected from harm, including from labor exploitation, and to provide them with opportunities to learn and prepare for decent, productive work. This responsibility begins with compulsory education for children enforced by state governments and the provision of social protection services to vulnerable children and families by the U.S. Department of Health and Human Services. Within USDOL, the Wage and Hour Division (WHD) takes the lead in raising awareness about and enforcing federal child labor laws, and the Occupational Safety and Health Administration (OSHA) protects the safety and health of minors in the workforce. WHD enforces the most sweeping federal law that regulates the employment of minors—the Fair Labor Standards Act (FLSA). In addition, the Occupational Safety and Health Act and related regulations, enforced by OSHA, apply to all employees regardless of age. WHD and OSHA work together on investigations and have an active referral process in place for cases involving minors under age 18.

USDOL's Office of Apprenticeship, along with State Apprenticeship Agencies in certain states, administers apprenticeship programs. These programs give participants, including youth age 16 and over, access to 1,000 career areas, the opportunity to earn a paycheck, get hands-on career training, and receive an industry-recognized credential at the end of the program. Instead of being faced with a choice between education and work, these youth are able to participate in high-quality education and employment opportunities, which in turn, reduce their risk of involvement in the worst forms of child labor.

The Federal Minimum Ages for Work

The FLSA sets a minimum age of 14 for most employment in non-hazardous, non-agricultural industries, but limits the times of day and the number of hours that 14- and 15-year-olds may work and the tasks that they may perform.

There were 1,624,000 children ages 16–17 employed in the United States in 2015 and 1,747,000 employed in 2016.⁽³⁶⁾ Despite the restrictions and limitations placed on their work, in 2014, the most recent year for which data are available,



What Jobs Can I Do?

When you are 13 or younger...

You can baby-sit, deliver newspapers, or work as an actor or performer.

When you are 14 or 15...

You can work in a variety of specified non-manufacturing and non-hazardous jobs under certain conditions.

When you are 16 or 17...

You can work in any job that has not been declared hazardous by the Secretary of Labor.

When Can I Work?

If you are 14 or 15, you can work...

- Outside school hours
- After 7 a.m. and until 7 p.m.
(until 9 p.m. from June 1st — Labor Day)
- 3 hours on a school day, including Fridays
- 18 hours in a school week
- 8 hours on a non-school day
- 40 hours in a non-school week

If you are 16 or older, you can work any hours.

Different rules apply to farms and State laws may have stricter rules. For more information on the specific jobs you can and can't do, visit www.youthrules.gov/know-the-limits.

there were 14 fatal occupational injuries among children ages 16–17, and 8 fatal occupational injuries among children below age 16 in the United States.⁽³⁷⁾

WHD's Outreach and Education Efforts to Prevent Child Labor in Agriculture and Other Sectors

WHD conducts extensive outreach and education to workers' and employers' organizations at the national level.

The WHD maintains the YouthRules! website, a child labor information portal that targets all teenage workers with a user-

friendly design, multimedia content, social media links, and a Young Worker Toolkit of teen-friendly resources.⁽³⁸⁾ The site links to compliance assistance materials for employers, parents, and educators. It also links to important worker resources, including information on filing complaints, federal and state child labor laws, federal and state labor offices, and links to other USDOL and government sites with information for children and young workers. WHD maintains a toll-free helpline (1–866–4US–WAGE or 1–866–487–9243) that provides information about child labor laws.


Enforcement of the Fair Labor Standards Act in Fiscal Year 2016*

 **633**

Number of Cases Where Child Labor Violations Were Found

 **222**

Number of Cases where Hazardous Order Violations Were Found

 **486**

Number of Minors Employed in Violation of Hazardous Orders

*Data are from October 1, 2015 to September 30, 2016. More specific information about each of these cases can be found in the WHD's enforcement database at <http://ogesdw.dol.gov/views/search.php>.



© REUTERS
Afghan children walk out of a field as they carry cotton clumps in containers balanced on their heads on the outskirts of Jalalabad, Nangarhar province, November 5, 2012.

Country Assessments

Each country in the report receives an assessment to indicate clearly the Secretary of Labor's findings on each country's level of advancement in efforts to eliminate the worst forms of child labor during the reporting period. Each country receives one of five possible assessments: *Significant Advancement*, *Moderate Advancement*, *Minimal Advancement*, *No Advancement*, or *No Assessment*.⁽⁵³⁾

1. Significant Advancement Compared with the suggested actions reported in 2015, a country significantly advanced efforts in eliminating the worst forms of child labor in 2016 if it took suggested actions or made other meaningful efforts during the reporting period in **all relevant areas** covering laws and regulations, enforcement, coordination, policies, and social programs.

2. Moderate Advancement Compared with the suggested actions reported in 2015, a country moderately advanced efforts in eliminating the worst forms of child labor in 2016 if it took suggested actions or made other meaningful efforts during the reporting period in **some relevant areas** covering laws and regulations, enforcement, coordination, policies, and social programs.

3. Minimal Advancement There are three types of countries that minimally advanced efforts in eliminating the worst forms of child labor in 2016. The first is a country that, compared with the suggested actions reported in 2015, took suggested actions or made other meaningful efforts during the reporting period in a **few relevant areas** covering laws and regulations, enforcement, coordination, policies, and social programs.

The other two types of countries are those that, regardless of meaningful efforts made in relevant areas, minimally advanced as a result of **establishing or failing to remedy regressive or significantly detrimental laws, policies, or practices that delayed advancement** in the elimination of the worst forms of child labor. Examples of regressive or significantly detrimental laws, policies, or practices include lowering the minimum age for work below international standards, recruiting and/or using children in armed conflict, and continuing to impose administrative barriers to child labor inspections.

- **Regression in Law, Policy, or Practice that Delayed Advancement.** This type of country made meaningful efforts in a few or more relevant areas but **established** a regressive or significantly detrimental law, policy, or practice **during the reporting period** that delayed advancement in eliminating the worst forms of child labor.
- **Continued Law, Policy, or Practice that Delayed Advancement.** This type of country made meaningful efforts in a few or more relevant

areas but **failed to remedy** a regressive or significantly detrimental law, policy, or practice established in **previous years**, which delayed advancement in eliminating the worst forms of child labor.

4. No Advancement There are three types of countries that made no advancement in efforts to eliminate the worst forms of child labor in 2016. The first is a country that, compared with the suggested actions reported in 2015, took **no suggested actions and made no other meaningful efforts** to advance the elimination of the worst forms of child labor during the reporting period.

The other two types of countries are those that, regardless of whether meaningful efforts in relevant areas were made or not, had a policy or demonstrated a practice of being **complicit in the use of forced child labor in more than an isolated incident**, which is considered an egregious form of exploitation.

Complicity can occur when a government is involved in forced child labor at any level of government, including at the local, regional, or national level. Such involvement is "direct" or proactive government action to compel children under age 18 to work.

- **No Efforts and Complicit in Forced Child Labor.** This type of country **made no meaningful efforts**, took no suggested actions reported in 2015, and had a policy or demonstrated a practice of being **complicit in the use of forced child labor** in more than an isolated incident in 2016.
- **Efforts Made but Complicit in Forced Child Labor.** This type of country **made meaningful efforts**, which may have included taking suggested actions reported in 2015, but had a policy or demonstrated a practice of being **complicit in the use of forced child labor** in more than an isolated incident in 2016.

5. No Assessment This assessment is reserved for countries in which the population of children is either non-existent or extremely small (fewer than 50), there is no evidence of worst forms of child labor and the country appears to have an adequate preventive legal and enforcement framework on child labor, or when a country is included in the report for the first time or receives a suggested action for the first time. Currently, Burma and certain territories and non-independent countries fall into this category.

How to Read a Country Profile

Philippines

SIGNIFICANT ADVANCEMENT



Country Overview. Each country profile begins with an overview for 2016 in a single paragraph, beginning with a statement identifying the assessment level assigned to the country for 2016. Following the statement of assessment, the paragraph offers a summary of key findings in the country profile. The narrative includes any meaningful efforts taken by a government, defined as efforts in key areas where the government advanced its commitments to eliminate the worst forms of child labor. The narrative also notes the most common or egregious forms of child labor found in the country and highlights areas in which key gaps in government efforts remain.

Section I: Prevalence and Sectoral Distribution of Child Labor The first section of each country profile attempts to provide, to the extent that information is available, a comprehensive picture of the worst forms of child labor in the country.

Table 1, Statistics on Children's Work and Education, contains at least four variables: percentage of working children, school attendance rate, percentage of children combining work and school, and primary completion rate. The majority of the country profiles have data for at least one of these variables. A smaller set of profiles contain data on children's work by sector. The age and methodologies of the original surveys that provide the underlying data vary, and in some cases, the surveys may not reflect the true magnitude of the child labor problem in a country. For some countries, data are unavailable from the sources used in this report.

Table 2, Overview of Children's Work by Sector and Activity, groups types of children's work by sector, using categories established by the ILO and Understanding Children's Work for national child labor surveys (Agriculture, Industry, and Services), as well as a category intended to capture work understood as the worst forms of child labor per se under Article 3(a) – (c) of ILO C. 182 (referred to by the report as "Categorical Worst Forms of Child Labor"). Sectors and specific activities performed by children are sorted into these categories according to internationally accepted industry and occupational codes.

Footnote (1) identifies sectors or activities determined to be hazardous by national law or regulation as understood under Article 3(d) of ILO C. 182, and footnote (2) provides the definition of "Categorical Worst Forms of Child Labor."

The table is followed by a narrative highlighting additional sector-specific information and social, economic, or political issues that impact the prevalence of child labor, such as barriers to accessing education, or major socioeconomic shocks to the country that may inhibit the government's ability to address child labor, such as a natural disaster or armed conflict.

In 2016, the Philippines made a significant advancement in efforts to eliminate the worst forms of child labor. The Government released a revised and expanded list of hazardous occupations and activities prohibited for children, and passed the Children's Emergency Relief and Protection Act, which increased measures to monitor and prevent child trafficking and child labor, including its worst forms, during national disasters. The Government also established the Internet Crimes Against Children office under the Anti-Trafficking in Persons Division to combat the Internet-facilitated commercial sexual exploitation of children. In addition, the Government updated the Philippine Program against Child Labor, and published the Revised Rules on Labor Laws Compliance System, which prioritizes establishments and workplaces that employ children for joint labor inspections. However, children in the Philippines perform dangerous tasks in the production of sugarcane. Children also engage in the worst forms of child labor, including in forced domestic work and commercial sexual exploitation. Despite the existence of strong mechanisms to respond to cases of child labor, enforcement of child labor laws remains challenging due to the limited number of inspectors, lack of resources for inspections, and inspectors' inability to enter private homes.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

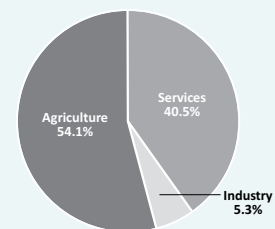
Children in the Philippines engage in the worst forms of child labor, including in forced domestic work and commercial sexual exploitation. Children also engage in the production of sugarcane, an industry that is considered dangerous for children in the Philippines. (1-8) The 2011 National Survey on Children indicated that 3.2 million children aged 5 to 17 years old engage in child labor, of which approximately 3 million work in hazardous labor. (9) Table 1 provides key indicators on children's work and education in the Philippines.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	7.5 (1,549,677)
Attending School (%)	5 to 14	93.7
Combining Work and School (%)	7 to 14	7.8
Primary Completion Rate (%)		101

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2016. (10)
Source for all other data: Understanding Children's Work Project's analysis of statistics from Survey on Children, 2011. (11)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of sugarcane, including growing, weeding, harvesting,† cutting,† and carrying sugarcane bundles† (1, 3-6, 12, 13)
	Growing bananas, coconuts, corn, rice, rubber, and tobacco (3, 4, 13, 14)
	Hog farming (4, 13)
	Production of palm oil, including harvesting,† hauling,† and loading palm oil fruits (2-4)
	Deep-sea fishing† (4, 15, 16)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.
‡ Child labor understood as the worst forms of child labor per se under Article 3(a)-(c) of ILO C. 182.

Children, primarily girls, are trafficked domestically from rural communities to urban centers and tourist destinations for the purpose of domestic work and commercial sexual exploitation. (26, 37) In addition, children are coerced into performing sex acts for live Internet broadcast to paying foreigners and local Filipinos, which usually take place in small internet cafes, private homes, or windowless dungeon-like buildings commonly known as "cybersex dens." (8, 37, 40-43) Research indicates that the Philippines is the top global Internet source of commercial sexual exploitation of children in which exploiters pay between \$20 to \$150 for a live "sex show." (44-46)

How to Read a Country Profile (Continued)

Section II: Legal Framework for the Worst Forms of Child Labor

The second section indicates whether a country has ratified key international instruments related to child labor, including its worst forms. This section also describes a country's legal framework with regard to child labor, including its worst forms, and assesses the adequacy of that legal framework. It begins with a statement about the extent to which the government has ratified key international conventions concerning child labor.

Table 3. Ratification of International Conventions on Child Labor lists the relevant UN conventions concerning child labor. A checkmark indicates the country's ratification, acceptance, accession, or succession to the instrument, given that these actions have the same practical legal effect regarding the substantive obligations of the instruments as ratification. If other relevant international instruments (beyond those listed in the table) were ratified during the reporting period, this may be recognized in a short narrative following the table.

Above **Table 4. Laws and Regulations on Child Labor**, there is a statement indicating whether the government has established laws and regulations related to child labor, including its worst forms, and notes whether gaps remain in the country's legal framework.

Table 4 lists a set of standards that should be established through national legislation in order to fully implement ILO C. 182. Please note that, this year, Table 4 indicates where the legal framework met international standards and where it did not, whereas last year the chart indicated the existence of relevant laws.

Footnotes identify (1) if a government does not use conscription for military service, (2) if a government does not have a standing military, and (3) whether an age is calculated based on available information.

Section III: Enforcement of Laws on the Worst Forms of Child Labor

The third section describes the roles of government agencies in enforcing laws related to child labor, including its worst forms, and reports on efforts made during the reporting period. It begins with a statement about whether the government has established institutional mechanisms to enforce laws and regulations related to child labor, including its worst forms, and notes whether there were gaps in enforcement, or if enforcement data were missing. Table 6 and Table 7 provide data on labor law and criminal law enforcement efforts, respectively, in 2015 and 2016.



Table 5. Agencies Responsible for Child Labor Law Enforcement, lists the agencies charged with enforcing such laws and identifies each agency's role.

A footnote identifies whether an agency responsible for child labor enforcement was created during the reporting period. A subsequent narrative describes gaps in agency responsibilities and/or new information during the reporting period.

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Philippines has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in the Philippines's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 139 of the Labor Code; Section 16 of the Act Instituting Policies for the Protection and Welfare of Domestic Workers (54, 55)
Minimum Age for Hazardous Work	Yes	18	Article 139 of the Labor Code (55)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Department Order 149 on Guidelines in Assessing and Determining Hazardous Work in the Employment of Persons Below 18 Years of Age; Sections 12-D and 16 of the Special Protection of Children Against Abuse, Exploitation, and Discrimination Act (56, 57)
Prohibition of Forced Labor	Yes		Sections 4-5 of the Expanded Anti-Trafficking in Persons Act; Sections 12-D and 16 of the Special Protection of Children Against Abuse, Exploitation, and Discrimination Act (56, 58)

* No conscription
 † No standing military
 ‡ Age calculated based on available information

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor and Employment (DOLE), Bureau of Working Conditions	Enforce child labor laws; regularly train inspectors and regional personnel. Inspect establishments and monitor compliance with labor laws in all sectors, including in the informal sector and agricultural and mining operations.(1) Register DOLE enforcement activities using the Labor Law Compliance System Management Information System.(70)
Rescue the Child Laborers Quick Action Teams (Sagip Batang Mangagawa – SBM QAT)	Lead the regional mechanism for rescuing children who work in exploitative situations.(25) Detect, monitor, and respond to incidents of child labor using a cooperative and interagency approach.(37, 71) In 2016, rescued 65 children engaged in child labor.(42)
Department of Social Welfare and Development (DSWD)	Rehabilitate and reintegrate child laborers.(25, 72) Coordinate regional Special Action Units, with at least one dedicated staff member per region to conduct rescue operations for child laborers and cooperate with social workers to manage ongoing cases. Maintain 16 Crisis Intervention Units and 30 residential facilities nationwide, as well as social media accounts, to address cases of child abuse and support child abuse victims, including children exploited in hazardous labor.(16, 37)
Philippine National Police (PNP)	Investigate and prosecute cases related to the worst forms of child labor.(33, 73) The PNP's Women and Children's Protection Center leads the enforcement of laws on child trafficking and commercial sexual exploitation of children as well as other tasks related to the protection of children.(1)

* Agency responsible for child labor enforcement was created during the reporting period.

In May 2016, DOLE issued the Revised Rules on Labor Laws Compliance System, which prioritizes establishments and workplaces that employ children for joint assessments that would involve the labor inspector, the employer's representatives, and the employees. If the complaint on an employer involves a violation of the Special Protection of Children against Child Abuse, Exploitation and Discrimination Act, the *Manual on Conduct of Inspection, Rescue and Enforcement Proceedings in Child Labor Cases* pursuant to Department Circular No. 02, Series of 2010, will apply. (37, 75)

How to Read a Country Profile (Continued)

● **Table 6, Labor Law Enforcement Efforts Related to Child Labor**, provides information on labor law enforcement data, including information about the labor inspectorate's financial and human resources; authority to conduct inspections and assess penalties; and actions and mechanisms to enforce labor laws, including those related to child labor.

● **Table 7, Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor**, provides information on criminal law enforcement data, including information about actions and mechanisms to enforce laws related to the worst forms of child labor.

● Both tables are footnoted to identify whether the government makes enforcement information publicly available and if these data from 2015 and 2016 fall outside of the calendar year. A narrative also follows each of these tables with more specific information on government mechanisms and efforts, and includes findings where ILAB has concluded that government efforts fall short.

● **Section IV: Coordination of Government Efforts on the Worst Forms of Child Labor** The fourth section provides information on institutions charged with coordinating efforts related to child labor, including its worst forms. It begins with a statement as to whether the government has established mechanisms to coordinate its efforts to address child labor, including its worst forms.

● **Table 8, Key Mechanisms to Coordinate Government Efforts on Child Labor**, lists the country's key coordinating bodies, their composition (if known), and their respective mandates, as well as their efforts during the reporting period.

● A footnote states whether a mechanism to coordinate efforts to address child labor was created during the reporting period. A subsequent narrative may include findings on gaps in their efforts.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Training for Labor Inspectors		
Initial Training for New Employees	Yes (16)	Yes (77)
Training on New Laws Related to Child Labor	N/A	Yes (37)
Refresher Courses Provided	Yes (16)	Unknown
Number of Labor Inspections	44,524 (76)	60,374 (37)
Number Conducted at Worksite	Unknown (76)	Unknown
Number Conducted by Desk Reviews	Unknown (76)	Unknown
Number of Child Labor Violations Found	Unknown	22 (37)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	Unknown
Number of Penalties Imposed that Were Collected	N/A	Unknown

● The Government does not publish this information.
 † Data are from [Month Day, Year] to [Month Day, Year].
 ‡ Data are from [Month Day, Year] to [Month Day, Year].

In 2016, DOLE hired 41 additional Labor Laws Compliance Officers and conducted a Training of Labor Laws Compliance Officers on Child Labor Assessment to enhance personnel's capacity to detect and assess child labor incidents. However, enforcement of child labor laws remains challenging due to the lack of resources for inspections.(16, 37, 70) The number of labor inspectors is insufficient for the size of the Philippines's workforce, which includes over 42 million workers. According to the ILO's recommendation of one inspector for every 15,000 workers in developing economies, the Philippines should employ roughly 2,783 labor inspectors in order to adequately enforce labor laws throughout the country.(37, 80-82) While the Inspectorate's funding increased in 2016, the Government noted that DOLE's funding for maintenance and operating expenses was insufficient to carry out inspections across the country's 16 regions, particularly in more rural areas.(37, 77)

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (76)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes (37)

● The Government does not publish this information.
 † Data are from [Month Day, Year] to [Month Day, Year].
 ‡ Data are from [Month Day, Year] to [Month Day, Year].

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Child Labor Committee (NCLC)	Coordinate national efforts to combat child labor under DOLE.(25) Promote information-sharing at the national, regional, and provincial levels.(72) Composed of more than 25 government agencies, international organizations, and trade unions.(13)
Inter-Agency Council Against Trafficking (IACAT)	Coordinate, monitor, and oversee efforts to combat human trafficking, including child trafficking. Co-chaired by the Department of Justice and the DSWD.(1, 74) Composed of 24 anti-human trafficking task forces established in eight regions and seven interagency task forces in major seaports and airports. (1, 16, 70). In 2016, established a Memorandum of Understanding to coordinate efforts to combat the trafficking of children.(37)
Inter-Agency Council for the Welfare of Children (CWC)	Operate a monitoring and response system to assist children engaged in armed conflict, including recruitment and use of child soldiers.(33)
Inter-Agency Committee on Children Involved in Armed Conflict	Advocate for protecting children and preventing the involvement of children in armed conflict. Chaired by the CWC.(70) Coordinate and monitor the implementation of the Children in Armed Conflict Program Framework.(1)
Inter-Agency Council Against Child Pornography	Monitor and implement the Anti-Child Pornography Act of 2009.(84) Chaired by the DSWD.(76)

● Mechanism to coordinate efforts to address child labor was created during the reporting period.

In 2016, the Government proposed an executive order that aims to restructure the role of the National Child Labor Committee (NCLC) and allocate funds to support its projects and activities, which would enhance the NCLC's role as the lead coordination mechanism on child labor policy and programming.(37, 85)

How to Read a Country Profile (Continued)

Section V: Government Policies on the Worst Forms of Child Labor

The fifth section describes a country's policies and plans to combat child labor, including its worst forms, and development policies that explicitly incorporate the issue of child labor. It begins with a statement indicating whether the government has established policies related to child labor, including its worst forms.

Table 9, Key Policies Related to Child Labor, lists the country's key policies, providing a description of each policy's objectives and any developments in implementation that occurred during the reporting period.

Footnotes identify (1) if a policy was approved during the reporting period and (2) whether the Government had other policies that may have addressed child labor issues or had an impact on child labor.

The narrative following the table includes findings related to whether existing policies sufficiently address child labor issues, including its worst forms, in the country.

Section VI: Social Programs to Address Child Labor

The sixth section describes social programs launched or implemented during the reporting period that focus on child labor, including its worst forms, and programs that address poverty, education, and other related matters that could have a beneficial impact on child labor. It begins with a statement as to whether the government funded and/or participated in social programs that include the goal of eliminating or preventing child labor, including its worst forms.

Table 10, Key Social Programs to Address Child Labor, lists the country's key social programs and provides a description of each social program, including its activities and accomplishments, to the extent known, during the reporting period. Where possible, programs are hyperlinked to project Web sites for additional information.

Footnotes identify (1) social programs that are funded by the government; (2) social programs that were launched during the reporting period, or (3) whether the government had small-scale social programs with the goal of eliminating or preventing child labor, including its worst forms.

The narrative following the table includes an analysis of the extent to which social programs were sufficient to address the scope of the problem and/or covered the key sectors in which children are known to work in the country.

Section VII: Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

The last section of each country profile includes a set of suggested actions in Table 11. These suggested actions serve as a roadmap of efforts that individual countries can follow to more fully address the worst forms of child labor. The year in which a suggested action was first provided is listed in the table followed by every year the action was included in the report and not taken.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of the Philippines has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
Inter-Agency Council Against Child Pornography Three-Year Strategic Plan†	Aims to eradicate child pornography in the Philippines by focusing efforts in five strategic areas: (1) advocacy and prevention; (2) law enforcement and prosecution; (3) protection, recovery, and reintegration; (4) research, monitoring, and management of information systems; and (5) partnerships and networking.(86)

† Policy was approved during the reporting period.

‡ The Government had other policies that may have addressed child labor issues or had an impact on child labor. (REF)

In December 2016, the NCLC announced that it will launch three anti-child labor programs in early 2017 to support the Philippine Program against Child Labor 2016-2022. These programs will establish helpdesks and a local registry on child labor for referral to social services, integrate a new module on child labor with a conditional cash transfer program that will raise awareness of child labor and involve families in preventing and combating child labor, and provide interventions to address child labor in gold mines and improving these children's working conditions.(89)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor‡

Program	Description
Child Labor Prevention and Elimination Program (<i>Pantawid Pamilyang Pilipino Program</i>)	DSWD program that provides conditional grants to poor families with children to improve their access to health care, adequate nutrition, and education; implements local awareness-raising campaigns; institutes child labor-monitoring mechanisms; and requires <i>barangays</i> to develop child labor elimination plans. (91-93) Covers 1,627 cities and municipalities in 79 provinces and all 17 regions.(70) As of November 2016, there were 4,389,863 active household beneficiaries who received education and health services. Program will include a child labor module that will impart information on the effects of child labor to project participants and the family's role to combat child labor.(37, 94)
Campaign for Child-Labor Free <i>Barangays</i> †	DOLE program that aims to eliminate child labor in villages through community awareness-raising on child labor and anti-human trafficking laws, and through government livelihood programs and guidelines.(95) In 2016, DOLE declared 79 <i>barangays</i> child labor free, bringing the total number to 292 since 2014.(37) DOLE regional offices certified 28 establishments child labor free, bringing the total up to 210 since 2013.(37)
Livelihood for Parents of Child Laborers (<i>Kabuhayan para sa Magulang ng Batang Manggagawa</i>)†	DOLE program that provides livelihood assistance to parents, guardians or other family members of child laborers. (73, 96, 97) In 2016, prevented or removed a total of 2,108 child laborers or children at risk for child labor.(37)

* Program was launched during the reporting period.

† Program is funded by the Government of the Philippines.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(25, 73, 96, 103, 104)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in the Philippines (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Enforcement	Authorize the labor inspectorate to assess penalties.	2015 – 2016
	Increase the number of labor inspectors responsible for enforcing laws related to child labor as well as resources available in order to provide adequate coverage of the workforce.	2014 – 2016
	Authorize SBM QATs to conduct compliance visits in private homes to search for underage child domestic workers.	2014 – 2016
Coordination	Publish information about the training system for labor inspectors, the number of labor inspections conducted at worksites and by desk review, whether routine inspections are conducted and targeted, and the number of child labor law violations found; and ensure that the total number of criminal investigations, violations, prosecutions, and convictions related to the worst forms of child labor are disaggregated by age.	2015 – 2016
	Pass the proposed executive order to restructure the National Child Labor Committee and ensure it has the legal mandate and resources necessary to effectively coordinate national efforts to combat child labor including its worst forms.	2015 – 2016
Government Policies	Ensure that all children are able to safely access and attend school and do not face prohibitive costs for education-related expenses.	2010 – 2016
Social Programs	Provide necessary resources to help more out-of-school youth access the Alternative Learning System program so they can complete their basic education.	2011 – 2016

REFERENCES

Definitions Related to Child Labor

Definitions related to child labor are guided by ILO C. 138 on Minimum Age and ILO C. 182 on Worst Forms of Child Labor. ILO's Resolution Concerning Statistics on Child Labor developed during the 18th Conference of Labor Statisticians provides the international framework for measuring children's work. Below see definitions of key terms discussed in our report.

Working Children

Working children (children in employment) are those engaged in any economic activity for at least 1 hour during the reference period. Economic activity includes market production and certain types of non-market production (principally the production of goods and services for own use). The work children perform may be in the formal or informal economy, inside or outside family settings, and for pay or profit. This includes children working in domestic service outside the child's own household for an employer (paid or unpaid).^(11, 44)

Child Labor

Children in child labor are a subset of working children. Child labor includes employment below the minimum age as established in national legislation (excluding permissible light work), the worst forms of child labor, and hazardous unpaid household services. Child labor is thus a narrower concept than children in employment because child labor excludes children who work only a few hours a week in permitted light work and those who are above the minimum age who engage in work not classified as a worst form of child labor.^(11, 45)

Forced Child Labor

Forced labor under international standards, means all work or service for which the worker does not offer himself voluntarily and which is exacted from any person under the menace of any penalty for its non-performance.⁽⁴⁶⁾ Forced labor includes work provided or obtained by force, fraud, or coercion, including⁽¹⁾ by threat of serious harm to, or physical restraint against, any

person;⁽²⁾ by means of any scheme, plan, or pattern intended to cause the person to believe that, if the person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint; or⁽³⁾ by means of the abuse or threatened abuse of law or the legal process.⁽⁴⁷⁾ It occurs during any of three dimensions of employment, which the ILO characterizes as unfree recruitment, work or life under duress, or the inability to leave the employer.⁽⁴⁸⁾

Forced child labor is a categorical worst form of child labor under ILO C. 182.⁽⁴³⁾ Children older than the minimum age for work are in forced child labor if work is involuntary and under the menace of threat or penalty to themselves or their parents. For children below the minimum age, voluntariness does not need to be established, as children cannot legally consent to work. All children who are made to work as a result of parental forced labor are engaged in forced child labor.⁽⁴⁸⁾

Worst Forms of Child Labor

Worst forms of child labor refers to those activities described and as understood in ILO C. 182: Worst Forms of Child Labor, 1999.⁽⁴³⁾ Under Article 3 of the Convention, the worst forms of child labor comprise:

- (a) All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom, and forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict;
- (b) The use, procuring, or offering of a child for prostitution, for the production of pornography, or for pornographic purposes;
- (c) The use, procuring, or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties; and
- (d) Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety, or morals of children.

What is Hazardous Child Labor?

ILO Recommendation 190¹ calls on governments to consider the following when determining work that is prohibited for children.

Categorical Worst Forms of Child Labor

For the purposes of this report, categorical worst forms of child labor refers to child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182. This category does not include the worst forms of child labor identified under Article 3(d) “hazardous work.” See also “ILO C. 182: Worst Forms of Child Labor, 1999.”⁽⁴³⁾

Hazardous Work

Hazardous work refers to the worst form of child labor identified in ILO C. 182 Article 3(d) “work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.” ILO C. 182 Article 4 directs countries to consult with employers and workers to identify the types of hazardous work that should be prohibited by law or regulation. Hazardous work lists may describe specific activities, occupations, or industries.⁽⁴⁴⁾

Child Trafficking

According to the 2000 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, child trafficking refers to the recruitment, transportation, transfer, harboring, or receipt of a child for the purpose of exploitation. There does not need to be abuse of power, control, coercion, or fraud present in order to constitute child trafficking, as the definition for adults requires. Child trafficking is also a categorical worst form of child labor under ILO C. 182.



Work which exposes children to physical, psychological or sexual abuse



Work underground, under water, at dangerous heights or in confined spaces



Work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads



Work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health



Work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer

¹ International Labor Organization. Recommendation 190. Geneva: June 1999 <http://www.ilo.org/public/english/standards/relm/ilc/ilc87/com-chir.htm>.

ILO Conventions Related to Child Labor

The International Labor Organization (ILO) brings together governments, employers, and workers' representatives of member states to establish international labor standards, develop policies, and implement programs to advance decent work.⁽¹⁵⁾ International labor standards are legal instruments drawn up by these ILO constituents that set out basic principles and rights at work. They take the form of either Conventions or Recommendations. Conventions are legally binding international treaties that may be ratified by member states. Ratifying countries commit themselves to applying the convention in national law and practice and reporting on its application at regular intervals. Key ILO Conventions related to children's work are listed below, along with the minimum ages set by countries related to these conventions. Also listed are countries that have not ratified key conventions or did not establish a compulsory education age that extends to the minimum age for work.

ILO Convention 138: Minimum Age for Admission to Employment, 1973

ILO Convention 138 (ILO C. 138) serves as the principal ILO standard on child labor. Under Article 2(3) of ILO C. 138, Minimum Age for Admission to Employment, the minimum age of admission into employment or work in any occupation "shall not be less than the age of completion of compulsory schooling, and, in any case, shall not be less than fifteen." Countries whose economy and educational facilities are insufficiently developed may initially specify a minimum legal working age of 14 when ratifying the convention. Additionally, under Article 7(1), "National laws or regulations may permit the employment or work of persons 13 to 15 years of age on light work..." Countries that specify a minimum legal working age of 14 years may permit light work for persons ages 12 to 14 years.⁽⁵⁰⁾

ILO Convention 182: Worst Forms of Child Labor, 1999

ILO Convention 182 (ILO C. 182) commits ratifying nations to take immediate action to secure the prohibition and elimination of the worst forms of child labor. Among other actions, ILO C. 182 requires ratifying nations to remove children from the worst forms of child labor and provide them with rehabilitation, social reintegration, and access to free

basic education and vocational training; consult with employer and worker organizations to create appropriate mechanisms to monitor implementation of the Convention; take into account the special vulnerability of girls; and provide assistance and/or cooperate with efforts of other members to implement the Convention.⁽⁴³⁾ Recommendation 190 also provides more guidance on how to implement the ILO C.182.

ILO Convention 29: Forced Labor, 1930

ILO Convention 29 is the fundamental convention on forced labor. The convention includes some exceptions for compulsory military service, work as part of normal civic obligations, work as a consequence of convictions, working during emergencies, and minor community services.⁽⁴⁶⁾

ILO Convention 105: Abolition of Forced Labor Convention, 1957

ILO Convention 105 further clarifies Convention 29 as it relates to forced or compulsory labor as a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system; as a method of mobilizing and using labor for purposes of economic development; as a means of labor discipline; as a punishment for having participated in strikes; and as a means of racial, social, national or religious discrimination.⁽⁵¹⁾

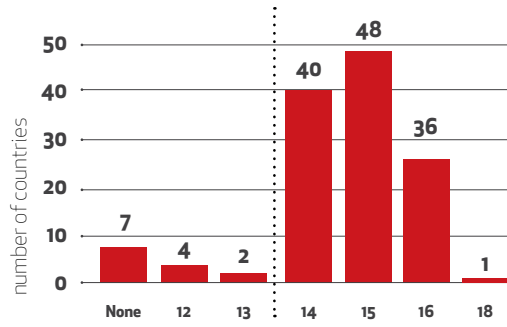
Protocol of 2014 to the Forced Labor Convention, 1930

The Forced Labor Protocol supplements existing ILO Convention 29 and requires countries to take effective measures to prevent and eliminate forced and compulsory labor, to sanction perpetrators and to provide protections and appropriate remedies, such as compensation. It also requires countries to develop a national policy and plan of action to address forced or compulsory labor in consultation with employers' and workers' organizations.⁽⁵²⁾ Recommendation 203 supplements the Protocol and ILO Convention 29 by providing non-binding guidance on forced labor prevention, victim protection, including access to justice and compensation for personal and material damages, enforcement of laws, and international cooperation.



Minimum Age* for Work

15 years



minimum age for work

*Countries whose economy and educational facilities are insufficiently developed may initially specify a minimum legal working age of 14 when ratifying the convention.

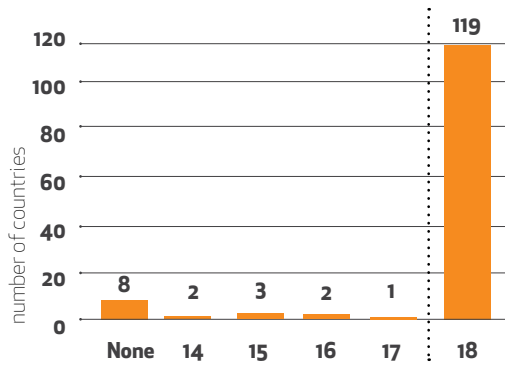
Countries that do not have a minimum age for work at 14 years

- | | |
|------------------|------------------|
| Anguilla | Saint Helena, |
| Belize | Ascension, and |
| Bhutan | Tristán da Cunha |
| Cook Islands | Solomon Islands |
| Falkland Islands | Tokelau |
| Nigeria | Tonga |
| Niue | Vanatu |
| Norfolk Island | |



Minimum Age for Hazardous Work

18 years



minimum age for hazardous work

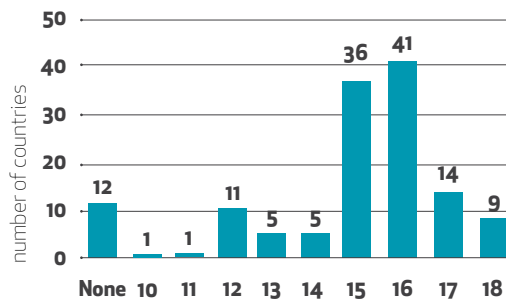
Countries that do not have a minimum age for hazardous work at 18 years

- | | |
|---------------------------------|----------------------------------|
| Belize | Saint Vincent and the Grenadines |
| Eritrea | Solomon Islands |
| Falkland Islands | Timor-Leste |
| Grenada | Tokelau |
| Nepal | Tonga |
| Niger | Tuvalu |
| Niue | Vanuatu |
| Norfolk Island | |
| Pakistan (Federal, Balochistan) | |



Minimum Age for Compulsory** Education

15 years



minimum age for compulsory education

**There is no international standard for compulsory education.

Countries that do not have a compulsory education age that extends to the minimum age for work

- | | | |
|-----------------------------------|-----------------------------|-----------------------|
| Angola | Ethiopia | Papua New Guinea |
| Bangladesh | Gambia, The | Samoa |
| Bhutan | Georgia | São Tomé and Príncipe |
| Botswana | Iraq (non-Kurdistan Region) | Solomon Islands |
| Burma | Kenya | Somalia |
| Burundi | Kyrgyz Republic | South Sudan |
| Cambodia | Lesotho | Suriname |
| Cameroon | Liberia | Swaziland |
| Comoros | Mozambique | Uganda |
| Congo, Democratic Republic of the | Nepal | Vanuatu |
| Eritrea | Nicaragua | Zambia |
| | Niger | Zimbabwe |

About the Iqbal Masih Award



The United States Congress established the Iqbal Masih Award for the Elimination of Child Labor in 2008 to recognize exceptional efforts by an individual, company, organization or national government to end the worst forms of child labor.

The award reflects the spirit of Iqbal Masih, a Pakistani child sold into bonded labor as a carpet weaver at age 4. He escaped his servitude at age 10 and became an outspoken advocate of children's rights, drawing international attention in his fight against child labor.

Masih was killed in Pakistan at age 13 in 1995.

To learn more about the Iqbal Masih Award and USDOL's efforts to combat child labor, visit our Web site at www.dol.gov/ilab.

2016 Iqbal Masih Award Recipient: Sonia Pierre



At 13, Sonia Pierre began her stand for workers' rights in the Dominican Republic, leading a march to demand humane working conditions for sugar cane harvesters in the "batey" – the worker settlement in which she grew up.

From the single-room, dirt-floor barrack she shared with 12 siblings and her mother, Pierre's journey took her to the Inter-American Court of Human Rights, where her powerful testimony helped lead to a landmark decision protecting children whose lack of legal status in their country of birth left them vulnerable to exploitation, known as the *Yean and Bosico v. Dominican Republic* case. The case was aimed at reforming the country's birth registration system, and set a precedent regarding the legal status of migrant-descendant children.

Pierre led the struggle against violence and discrimination against Haitians and Dominican children of Haitian descent. Despite threats and intimidation, Pierre fought for children's access to educational opportunities and nationality. She founded an NGO, Movement for Dominican

Women of Haitian Descent (MUDHA), to help empower these women and their communities. To help address persistent barriers to education, MUDHA established a school that has served thousands of children. Sonia Pierre's efforts highlighted the link between a lack of nationality and increased vulnerability to child labor and labor exploitation. She continued her work until her death in 2011, at age 48. Her legacy has inspired a generation of youth to continue her work to secure legal identity documentation and educational opportunities for the most vulnerable children in the Dominican Republic.





© Tommy Trenchard/Alamy Stock Photo
Boy mending nets in Halong Bay, Vietnam.

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All three of USDOL's flagship reports on international child labor and forced labor are available on our Web site in HTML and PDF formats, at www.dol.gov/endchildlabor. These reports include the *Findings on the Worst Forms of Child Labor* required by the Trade and Development Act of 2000, the *List of Products Produced by Forced or Indentured Child Labor* required by Executive Order 13126, and the *List of Goods Produced by Child Labor and Forced Labor* required by the Trafficking Victims Protection and Reauthorization Act of 2005. On our Web site, you can navigate to individual country pages, where you can find information on the prevalence and sectoral distribution of the worst forms of child labor in the country, specific goods produced by child labor or forced labor in the country, the legal framework on child labor, enforcement of laws related to child labor, coordination of government efforts on child labor, government policies related to child labor, social programs to address child labor, and specific suggestions for government action to address the issue.

Easy to slip into your pocket, our USB stores all three reports, as well as fact sheets about ILAB's work, frequently asked questions about each report, and other report-related materials translated into French, Spanish, Portuguese, Arabic, and Russian.



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Our *Sweat & Toil* mobile application contains more than 1,000 pages of research from all three reports. *Sweat & Toil* helps you easily sort data by region, country, assessment level, good, and type of exploitation – all without needing an Internet connection! You can download the free App from the iTunes or Google Play store and access the data behind the App on our Web site: <http://developer.dol.gov/others/sweat-and-toil>.



ON PAPER

Our *Findings* report is available in a hard-copy magazine format, which provides an overall summary of the report, regional findings related to meaningful efforts made and gaps for countries to address, and the assessment levels of each of the 135 countries. In addition, both *Lists* are also available in hard-copy format. Send an e-mail to GlobalKids@dol.gov to request hard copies or download them from our Web site: <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.



BONUS APP!

Our *Comply Chain: Business Tools for Labor Compliance in Global Supply Chains* mobile application contains best practices guidance for companies on developing strong social compliance systems to reduce child labor and forced labor in their supply chains. The App includes eight modules ranging from stakeholder engagement to code of conduct provisions, and from auditing to remediation to reporting. Companies that are new to social compliance can work through the modules in order, and more experienced companies can select modules based on their continuous improvement goals. You can download the free App from the iTunes or Google Play store, or access it on our Web site: <https://www.dol.gov/complychain>.

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Afghanistan

MODERATE ADVANCEMENT

In 2016, Afghanistan made a moderate advancement in efforts to eliminate the worst forms of child labor. The President signed a new Law to Combat Trafficking in Persons and Smuggling of Migrants, hired 14 new labor inspectors, and adopted the Policy on Child Labor in Carpet Weaving. The Government also prosecuted five soldiers involved in a possible case of bacha bazi – a practice involving exploiting boys, often through threats or violence, for social and sexual entertainment – and investigated 60 men in Balkh Province for involvement in such practices. Bacha bazi exists in all provinces of the country, with specific cases documented in the provinces of Balkh, Baghlan, Helmand, and Uruzgan during the reporting period. While some elements of bacha bazi are prohibited under existing Afghan law, the term is not specifically included or defined in the law, making it challenging for law enforcement officials to comprehensively address and compile statistics on these cases. Boys who are victims of bacha bazi are often treated as criminals rather than as victims. In addition, children in Afghanistan are engaged in the worst forms of child labor, including in armed conflict and forced labor in the production of bricks. Also, Afghanistan’s labor inspectorate is not authorized to impose penalties for child labor violations, and the Government lacks sufficient programs to eliminate the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Afghanistan engage in the worst forms of child labor, including in armed conflict and the forced production of bricks.(1-6) Table 1 provides key indicators on children’s work and education in Afghanistan. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	7.5 (673,949)
Attending School (%)	5 to 14	41.8
Combining Work and School (%)	7 to 14	4.6
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2016.(7)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Multiple Indicator Cluster Survey 4, 2010-2011.(8)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including harvesting poppies (6, 9-11)
	Herding (10, 12, 13)
Industry	Carpet weaving† (10, 13-16)
	Construction, activities unknown (10, 17)
	Coal, gem, and salt mining† (12, 18-21)
	Brick-making (1, 10-12, 15, 16, 22)
	Working in metal workshops, including in the production of doors, windows, and water tanks (16, 17, 23)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Services	Domestic work (6, 10, 15)
	Transporting water and goods, including across international borders (10, 12, 24)
	Street work, including peddling, vending, shoe shining, carrying goods, and begging (6, 10, 15)
	Collecting garbage† (6, 15, 24, 25)
	Washing cars (10, 11)
	Selling goods in stores (10, 17, 23, 24)
	Voluntarily recruited children used in hostilities by state armed groups (5, 6)
Categorical Worst Forms of Child Labor‡	Forced recruitment of children by non-state armed groups for use in armed conflict (6, 26-28)
	Use in illicit activities, including in the production and trafficking of drugs (4, 6, 10, 29)
	Domestic work as a result of human trafficking (4, 30)
	Commercial sexual exploitation, sometimes as a result of human trafficking (4, 24, 27, 31-35)
	Forced labor in the production of bricks and carpets, and in begging, each sometimes as a result of human trafficking (1-4, 16, 24, 36)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Children are subject to commercial sexual exploitation throughout the country. The practice of *bacha bazi* (boy play), in which men – including warlords, police commanders, influential tribal leaders, and mafia heads – force boys to provide social and sexual entertainment, is particularly prevalent.(32, 37, 38) In many cases, these boys are dressed in female clothing, used as dancers at parties and ceremonies, and sexually exploited.(32) According to the Afghanistan Independent Human Rights Commission, the practice exists in all provinces of the country.(39) Research has found specific cases in the provinces of Baghlan, Balkh, Faryab, Konduz, Helmand, Takhar, and Uruzgan.(35, 38, 39) A national inquiry conducted in 2014 found that most boys were between the ages of 13 and 16, and that 60 percent of them had been subjected to physical violence, confinement, and threats of death.(32) Some government officials, including members of the Afghan National Police, the Afghan Local Police, and the Afghan Border Police, exploit boys for *bacha bazi* as well as to work as tea servers or cooks in police camps.(6, 32, 34, 35, 37, 39-41) Some local police commanders abduct boys and use them for *bacha bazi*.(34, 35) One source indicated that the practice of *bacha bazi* is the biggest weakness of the police forces.(27) In 2016, the Ministry of Interior ordered police to stop having parties in which boys are dressed as girls and forced to perform dances.(39) In 2016, in Uruzgan Province, the Taliban used boys engaged in *bacha bazi* to attack policemen who subjected the same boys to sexual exploitation.(27) The police chief of Balkh province stated that some local officials support and defend suspects of *bacha bazi*.(38)

Children are trafficked both within Afghanistan and internationally. Afghan boys are used for forced labor in agriculture and construction abroad, and girls tend to be used for commercial sexual exploitation and domestic work in destination countries, primarily Iran and Pakistan.(4) Children were trafficked for debt settlement, including in the production of bricks and illicit drugs.(3, 4, 10) Reports indicate that girls from Iran and Pakistan are trafficked to Afghanistan for commercial sexual exploitation.(4, 30)

Widespread violence and lack of economic opportunities leads some Afghan children to leave Afghanistan.(42-46) There are reports that the Iranian government and the Islamic Revolutionary Guards Corps (IRGC) coerce male Afghan migrants and registered refugees, including boys as young as age 12, to fight in Syria in IRGC-organized and -commanded militias by threatening them with arrest and deportation to Afghanistan.(41) Media reported that there were covert recruitment agencies in Afghanistan and that a Syrian opposition leader has urged the Afghan government to prevent recruitment within Afghanistan.(47) Boys, especially those traveling unaccompanied, are particularly vulnerable to trafficking. Some Afghan boys are subjected to sex trafficking in Greece after paying high fees to be smuggled into the country.(41, 48)

Non-state groups, such as the Taliban and Islamic State in Khorasan Province, recruited children for use in armed conflict, to plant improvised explosive devices, or to act as suicide bombers.(28) The UN verified the continued use of children in combat and non-combat roles by the Government in 2016, including five cases of recruitment by the Afghan National Police, two by the Afghan Local Police, and one by the Afghan National Army, at times using fake identity documents.(6, 37, 41) Low birth registration and falsified identity documents contribute to the problem because it makes the determination of a recruit’s age

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difficult.(49, 50) Observers reported that some officials accepted bribes to produce identity documents for boys stating their age was above 18 years old.(41)

Based on a 2013 report by the Afghanistan Independent Human Rights Commission, about 6 million children are out of school. Barriers to education for children include displacement of populations due to conflict, the use of schools as military bases, distance from school, school-related fees, lack of security, and not being allowed by parents to go to school, particularly for girls.(10, 25, 51, 52) Approximately, 1,000 schools closed in 2016 due to security issues.(53) In 2016, approximately 600,000 Afghan refugees returned from Pakistan.(54) About half of returnee children from Pakistan do not attend school.(55) They are also particularly vulnerable to child labor.(36, 56) Some individuals who facilitate repatriation take returnees to brick factories and keep them in debt bondage to repay their transportation costs.(37)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Afghanistan has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Afghanistan's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 13 of the Labor Law (57)
Minimum Age for Hazardous Work	Yes	18	Articles 13 and 120 of the Labor Law (57)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		List of Prohibited Jobs for Child Laborers (58)
Prohibition of Forced Labor	No		Article 4 of the Labor Law; Article 516 of the Penal Code; Articles 3 and 10 of the Law to Combat Trafficking in Persons and Smuggling of Migrants; Article 36 of the Law on the Elimination of Violence Against Women (57, 59-61)
Prohibition of Child Trafficking	Yes		Articles 3 and 11 of the Law to Combat Trafficking in Persons and Smuggling of Migrants (59, 60)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 18.2 of the Law on Elimination of Violence Against Women; Articles 427 and 429 of the Penal Code; Articles 3, 10 and 11 of the Law to Combat Trafficking in Persons and Smuggling of Migrants (59-61)
Prohibition of Using Children in Illicit Activities	Yes		List of Prohibited Jobs for Child Laborers; Articles 1, 7, and 23 of the Counter Narcotics Law; Articles 3.1 and 3.2 of the Law to Combat Trafficking in Persons and Smuggling of Migrants (58, 62)
Minimum Age for Military Recruitment			

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 3 of the Law on Prohibition of Recruitment of Children in Military Contingencies (63)
Non-state Compulsory	Yes	18	Articles 3, 10, and 11 of the Law to Combat Trafficking in Persons and Smuggling of Migrants (60)
Compulsory Education Age	Yes	15‡	Article 17 of the Education Law (64)
Free Public Education	Yes		Article 17 of the Education Law (64)

* No conscription (65, 66)

‡ Age calculated based on available information (67)

In November 2016, the Parliament passed the Law to Combat Trafficking in Persons and Smuggling of Migrants, which repealed the Counter Abduction and Human Trafficking Law of 2008. The President signed the Law in December 2016, and it entered into force in January 2017, when it was published in the Official Gazette.(68) The Law prohibits recruiting, transferring, transporting, harboring, or receiving children for the purposes of exploitation, including sexual exploitation, production of pornography, forced dancing, and use in armed conflict or illicit activities.(68)

During the reporting period, the President's Cabinet began drafting a Child Protection Act to address some worst forms of child labor. The Parliament must review the draft before it is adopted.(6) The current draft law defines and prohibits *bacha bazi*, although the penalty remains unclear. The draft also asserts that health facilities and parents are responsible for birth registration.(69)

Although forced labor and child trafficking are illegal, research did not find criminalization of debt bondage.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Child Protection Action Network (CPAN)	A coalition of government agencies, NGOs, and community and religious leaders. Receive complaints of child labor, investigate such cases, and refer them to NGO and government shelters that provide social services.(6, 70) Not all provinces have a CPAN.(16)
Ministry of Labor, Social Affairs, Martyrs, and Disabled	Respond to complaints of child labor, child trafficking, and child sexual exploitation; refer cases to the Attorney General's Office and NGO shelters; and operate a shelter for trafficking victims in Kabul.(50)
Ministry of the Interior	Enforce laws related to child trafficking, the use of children in illicit activities, and child sexual exploitation.(70)
National Directorate of Security	Identify human trafficking victims and refer these cases to the Ministry of the Interior.(71)
Attorney General's Office	Investigate and prosecute human trafficking, abduction, and sexual exploitation cases.(50)

Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in Afghanistan took actions to combat the worst forms of child labor.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	18 (70)	32 (6)
Number of Child Labor Dedicated Inspectors	Unknown	Unknown
Inspectorate Authorized to Assess Penalties	No (70)	No (6)

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Training for Labor Inspectors		
Initial Training for New Employees	No (70)	No (6)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (70)	Unknown
Number of Labor Inspections	Unknown	Unknown
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	Unknown	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	0 (70)	Unknown
Number of Penalties Imposed that Were Collected	N/A	Unknown
Routine Inspections Conducted	Yes (70)	Unknown
Routine Inspections Targeted	Yes (70)	Unknown
Unannounced Inspections Permitted	Yes (70)	Yes (6)
Unannounced Inspections Conducted	Unknown	Unknown
Complaint Mechanism Exists	Yes (72)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (70)	Yes (6)

In 2016, the Child Protection Action Network (CPAN) was the primary mechanism of monitoring child labor cases. It is unknown how many individuals were in charge of investigating child labor complaints in CPAN, but the Ministry of Labor, Social Affairs, Martyrs, and Disabled (MoLSAMD) employed 32 labor inspectors.⁽⁶⁾ The number of labor inspectors is insufficient for the size of Afghanistan's workforce, which includes more than 7.9 million workers.⁽⁷³⁾ According to the ILO's recommendation of 1 inspector for every 40,000 workers in less developed economies, Afghanistan should employ roughly 200 labor inspectors.^(70, 74, 75) Government officials, NGOs, and UNICEF acknowledge that the number of labor inspectors is insufficient. Labor inspectors do not have legal authority to enforce child labor laws.⁽⁷⁰⁾ MoLSAMD, in cooperation with CPAN, can respond to complaints of child labor, investigate cases, and issue warnings or refer the case to the Attorney General's Office. A person wishing to file a complaint must specify the legal grounds for labor violations in writing.⁽⁷²⁾

Business owners are not required to allow unannounced inspections.⁽⁷⁰⁾ Based on available information, MoLSAMD only inspects businesses that are registered with the Ministry.⁽⁶⁾

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Afghanistan took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Unknown
Refresher Courses Provided	Yes (70)	Unknown
Number of Investigations	Unknown	60 (38)
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (70)	Yes (6)

In 2016, the Ministry of the Interior employed two officers in each anti-human trafficking unit throughout Afghanistan's 34 provinces; however, the priority of these units is to combat human smuggling rather than combat the worst forms of child labor.

Government officials stated that they lacked equipment and transportation to carry out investigations.(6) Victims of human trafficking were routinely prosecuted and convicted of crimes.(4, 41) Officials hope that with the adoption of the new Law to Combat Trafficking in Persons and Smuggling of Migrants, victims will be more easily distinguishable from perpetrators because of clearer definitions in the new law.(76) In 2016, the Government made 115 arrests, 63 prosecutions, and 34 convictions for human trafficking crimes; however, it is unknown how many of these involved child victims.(50)

In 2015, the President ordered the creation of a committee to investigate and prosecute cases of commercial sexual exploitation of children by security forces, but the committee never convened.(6, 30) In June 2016, the President ordered an investigation into reports of sexual abuse of children by police officials. The President's Office stated that any official involved in such sexual abuse would be prosecuted and punished, regardless of rank.(77) Officials in Balkh Province began investigating 60 men suspected of using boys for *bacha bazi*.(38) In October 2016, five Afghan National Army soldiers were accused of sexually abusing a boy, possibly in *bacha bazi*. All five were arrested and transferred to an Afghan National Army court, where one soldier was convicted of unlawful use of lethal force and sentenced to two years of imprisonment; another soldier was convicted of battery and sentenced to one year of imprisonment.(41) Some government officials contributed to the lack of prosecutions of individuals who subject boys to *bacha bazi*.(4, 38) The Afghanistan Independent Human Rights Commission's 2014 report assessed that most men who engage in *bacha bazi* paid bribes to, or had relationships with, law enforcement, prosecutors, or judges that effectively exempted them from prosecution.(41)

Male child victims of human trafficking, especially those who were engaged in commercial sexual exploitation or were used as child soldiers, were sometimes referred to juvenile detention and rehabilitation facilities, rather than receiving appropriate victim support services.(4, 30, 41, 78) Male child sex trafficking victims, including those subjected to *bacha bazi*, were in some cases referred to juvenile rehabilitation centers on criminal charges.(41) The UN noted that some children associated with armed groups were kept in detention centers instead of juvenile rehabilitation centers.(28) The UN reported that some of these children were subjected to torture and ill treatment.(78, 79)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government of Afghanistan has established coordinating mechanisms to address certain forms of child labor, research found no evidence of an overall mechanism to combat child labor, including all its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
High Commission for Combating Crimes of Abduction and Human Trafficking	Address human trafficking in general, including child trafficking. Led by the Ministry of Justice; other members include nine ministries and five other entities.(70, 71) In 2016, the Commission met quarterly, and its Technical Committee met monthly.(37)
Inter-Ministerial Steering Committee on Children and Armed Conflict	Coordinate efforts to eliminate the recruitment and use of child soldiers. Led by the Ministry of Foreign Affairs and monitored by the UN and NGOs.(80)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Labor Policy	Includes objectives to eliminate the worst forms of child labor, including those involving hazardous activities; pass legislation prohibiting child labor; and effectively enforce child labor laws.(15) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
Action Plan for the Prevention of Underage Recruitment	Aims to prevent the recruitment of minors into the Afghan National Security Forces, including the Afghan National Army, the Afghan National Police, the National Directory of Security, and pro-government militia groups. Seeks to ensure the release of children under age 18 from the armed forces and facilitate their reintegration into families and communities.(81)
Policy on Child Labor in Carpet Weaving†	Provides social services to children, as well as incentives for weaving families that avoid child labor. Includes an implementation plan.(82)

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Table 9. Key Policies Related to Child Labor (cont)

Policy	Description
National Strategy for Children at Risk	Creates a framework to provide social services to at-risk children and their families, and guides donors in contributing toward a comprehensive child protection system. Focuses specifically on working children, trafficked children, child soldiers, and other children affected by conflict.(83) Since the adoption of the policy, the establishment of CPANs has been an important achievement in its implementation.(84) However, not all provinces have a CPAN.(16) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.

† Policy was approved during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
USDOL-Funded Projects to address child labor	USDOL projects that aim to build capacity of government law enforcement officials and address child labor in the carpet industry. These are Project to Prevent Child Labor in Home-Based Carpet Production in Afghanistan, a \$2 million project implemented by GoodWeave; and Country Level Engagement and Assistance to Reduce Child Labor, a capacity-building project implemented by the ILO in at least 11 countries to build local and national capacity of the Government to address child labor.(85, 86) For additional information, please visit our Web site.
Age Verification of New Afghan National Security Forces Recruits†	Joint Government and UNICEF program that operates child protection units in the Afghan National Security Forces recruitment centers. Aims to ensure that new recruits meet the minimum age requirement of age 18 by carefully screening applicants.(87) The process includes an ID check and a requirement that at least two community elders vouch that a recruit is age 18 or older and is eligible to serve.(88) The Government opened 12 new child protection units in 2016.(76) From January to November 2016, child protection units prevented the recruitment of 315 boys and 3 girls into the security forces.(41)

† Program is funded by the Government of Afghanistan.

The Government ran public service messages through radio, television, and print media to raise awareness about human trafficking issues.(37, 41) The Afghan Independent Human Rights Commission conducted 60 educational training programs on preventing and combating human trafficking for officials, university lecturers, mullahs, and civil society activists; the programs reached 2,091 individuals.(41)

There is no evidence of programs designed specifically to prevent and eliminate child labor in agriculture or forced child labor in the production of bricks. Research found that shelters and support services for male child trafficking victims older than age 10 were particularly limited.(33, 76) Some boys who are victims of human trafficking are sent to juvenile rehabilitation centers due to the lack of shelters.(37)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Afghanistan (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that debt bondage is criminally prohibited.	2015 – 2016
Enforcement	Establish a CPAN in all of Afghanistan's 34 provinces.	2016
	Publish information on labor inspectorate funding; the number of CPAN technical advisors dedicated to child labor inspections; training of labor inspectors; the number of labor inspections, including those conducted at worksites and by desk reviews; the number of child labor violations identified and penalties imposed and collected; and whether unannounced inspections were conducted.	2015 – 2016
	Authorize the inspectorate to assess penalties for violations of Afghan law.	2015 – 2016
	Ensure that new labor inspectors receive training on child labor.	2011 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Increase the number of labor inspectors to meet the ILO recommendation.	2011 – 2016
	Ensure that the labor inspectorate has legal authority to enforce child labor laws, including by legally requiring businesses to comply with unannounced inspections.	2014 – 2016
	Simplify the child labor complaint mechanism to allow oral complaints, and waive the requirement that the individual filing a complaint must specify the legal grounds for the violation.	2015 – 2016
	Publish data on the training system of criminal investigators, as well as the numbers of investigations, violations, prosecutions, and convictions for all crimes involving the worst forms of child labor.	2011 – 2016
	Ensure that investigators are available to enforce criminal laws involving all of the worst forms of child labor.	2014 – 2016
	Ensure that criminal law enforcement agencies have the necessary equipment and transportation to enforce laws involving the worst forms of child labor.	2012 – 2016
	Ensure that child victims of human trafficking and other worst forms of child labor are correctly identified as victims and are not detained; ensure that victims are referred to appropriate social services, and that children held in juvenile detention or rehabilitation facilities are not subject to mistreatment or torture.	2014 – 2016
	Ensure that the committee to investigate and prosecute <i>bacha bazi</i> crimes actively fulfills its mandate.	2016
Coordination	Establish coordinating mechanisms to combat child labor, including all its worst forms.	2013 – 2016
Government Policies	Implement the National Labor Policy and the National Strategy for Children at Risk.	2016
Social Programs	Institute a birth registration campaign.	2015 – 2016
	Institute programs to increase access to education and to improve security in schools, especially for girls.	2014 – 2016
	Institute programs to address child labor in agriculture and bonded child labor in brick kilns.	2009 – 2016
	Provide financial support to open shelters for victims of human trafficking and to ensure that sufficient shelter services are available for older male child trafficking victims.	2010 – 2016

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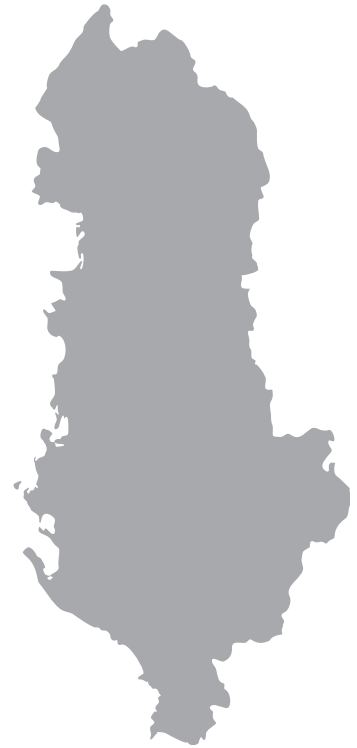
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In 2016, Albania made a significant advancement in efforts to eliminate the worst forms of child labor. The Government increased the funding allocated to the labor inspectorate and established a task force to assist children living and working on the streets. In addition, the Government implemented the Identification and Protection of Children in Street Situations Action Plan, which aims to protect street children from abuse, exploitation, and neglect. The Government also implemented the Action Plan for the Social-Economic Reintegration of Women and Girl Victims by providing education and social services to girl victims of forced labor and human trafficking. However, children in Albania engage in the worst forms of child labor, including in mining and forced begging. The law does not criminally prohibit using, procuring, or offering children for illicit activities. In addition, the labor inspectorate needs to be strengthened to conduct effective inspections in all sectors in which child labor is known to occur.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Albania engage in the worst forms of child labor, including in mining and forced begging. (1-6) Table 1 provides key indicators on children's work and education in Albania.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.6 (23,665)
Attending School (%)	5 to 14	92.5
Combining Work and School (%)	7 to 14	5.2
Primary Completion Rate (%)		106.4

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016. (7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from National Child Labor Survey, 2010. (8)

Albania lacks recent, comprehensive data on children engaging in the worst forms of child labor, including in agriculture and construction, in the country. Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, activities unknown (2-5)
	Shepherding (9)
Industry	Mining,† including chrome (1, 2, 4, 5, 10-13)
	Construction, activities unknown (1-5)
	Working in the textile, garment, and footwear sectors (2, 4, 5, 14)
	Processing fish (4, 5, 15)

Figure 1. Working Children by Sector, Ages 5-14

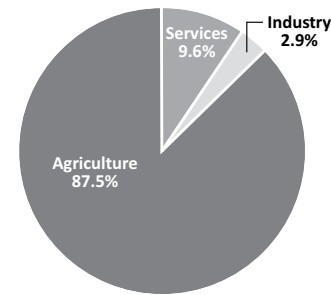


Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Services	Begging (2-5, 16)
	Street work, including vending, washing vehicles, busking, and shining shoes (3, 9, 17)
	Collecting recyclable materials on the street and in landfills (3, 5)
	Working in wholesale and retail trade (1, 2, 4, 5)
	Working in hotels and restaurants (1, 2, 4, 5)
	Working in call centers (4, 5)
Categorical Worst Forms of Child Labor [‡]	Use in illicit activities, including burglary, drug trafficking, drug couriering, and harvesting and processing cannabis (2, 3, 5, 10, 17-20)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2, 3, 5, 20)
	Forced begging, sometimes as a result of human trafficking (2, 3, 5, 6, 17, 20)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Children are trafficked internally in Albania and abroad to neighboring and European Union countries for commercial sexual exploitation and forced labor, including forced begging.(5, 17, 20-22) Internal child trafficking and forced begging has increased in recent years, particularly during the tourist season.(17, 20-22) Street children, especially those from Egyptian and Roma communities, are at the greatest risk of becoming victims of human trafficking.(2, 3, 23)

Albania allows children without a birth certificate to enroll in public schools; however, some children from Roma, Egyptian, and Greek families and refugees may face obstacles in obtaining birth certificates, which may affect their access to social services and school inclusion.(5, 9, 15, 21, 24, 25) Children out of school are vulnerable to the worst forms of child labor. Some Roma and Egyptian children also experienced financial hurdles to accessing education, such as transportation and textbook costs.(5) Discrimination in schools or being physically separated in classrooms are also issues for Roma and Egyptian students.(5, 9)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Albania has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Albania’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Article 98 of the Code of Labor; Article 24 of the Law for the Protection of the Rights of the Child (26, 27)
Minimum Age for Hazardous Work	Yes	18	Articles 98–101 of the Code of Labor; Article 24 of the Law for the Protection of the Rights of the Child (26, 27)

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Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 99–101 of the Code of Labor; Decree of the Council of Ministers on Defining Hazardous and Hard Work; Decree of the Council of Ministers on the Protection of Minors at Work; Article 34 of the Law on Occupational Safety and Health at Work (26, 28-30)
Prohibition of Forced Labor	Yes		Article 8 of the Code of Labor (26)
Prohibition of Child Trafficking	Yes		Article 128/b of the Criminal Code (31)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 114, 114/a, 115, 117, and 128/b of the Criminal Code; Article 26 of the Law for the Protection of the Rights of the Child (27, 31)
Prohibition of Using Children in Illicit Activities	No		Article 129 of the Criminal Code; Article 25 of the Law for the Protection of the Rights of the Child (27, 31)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		Article 9 of the Law on Military Service (32)
State Voluntary	Yes	19	Article 9 of the Law on Military Service (32)
Non-state Compulsory	Yes		Article 28 of the Law for the Protection of the Rights of the Child (27)
Compulsory Education Age	Yes	16	Article 22 of the Law on Pre-University Education System (33)
Free Public Education	Yes		Article 57 of the Constitution of the Republic of Albania; Article 5 of the Law on Pre-University Education System (33, 34)

* No conscription (35)

The Parliament of Albania presented a draft Code on the Criminal Justice for Children, which seeks to ensure access to education, protection, and rehabilitation for children who commit crimes.(36) The Ministry of Social Welfare and Youth proposed a new Law on the Rights and Protection of the Child that aims to protect exploited working children and mandates reporting of child exploitation cases.(5, 27, 37)

The law in Albania does not criminally prohibit using, procuring, or offering all children under age 18 for illicit activities, including in the production and trafficking of drugs. Article 129 of the Criminal Code criminally prohibits only inducing or encouraging children under age 14 to participate in criminality.(31)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Social Welfare and Youth	Enforce laws related to child labor and hazardous work, and monitor the quality of social services provided through the State Inspectorate for Labor and Social Services.(4) Receive, document, and respond to child labor complaints through the Social Services Agency.(4, 6)
Ministry of Interior	Enforce all laws, including laws related to the worst forms of child labor.(4) Coordinate the work of the Regional Police Directorate through the General Directorate of State Police. Investigate child trafficking cases by an officer designated to child protection and an Illicit Trafficking Section assigned to each Regional Police Directorate.(4) Establish the Government’s policy on combating human trafficking through the State Committee Against Trafficking in Persons (TIP), chaired by the Interior Minister.(37)
Office of the Prosecutor General	Investigate and prosecute child trafficking cases through the Serious Crimes Prosecution Office.(2, 38)
Child Rights Units (CRUs)	Monitor the situation of high-risk children at the regional level, coordinate protection and referral activities by Child Protection Units (CPUs) at the local level, and manage cases of children whose needs cannot be met by CPUs.(39, 40)

Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Child Protection Units (CPUs)	Identify at-risk children, take case referrals from enforcement agencies, and conduct initial evaluations of each case at the municipal level. Manage cases of at-risk children and refer them to appropriate social services.(2, 40-42) Receive referrals from state police responsible for identifying and referring children in need to the CPUs.

Child Protection Units (CPUs) are generally staffed by only one individual, and a majority of CPU staff are not able to focus on child protection issues full-time.(4, 24) During the reporting period, CPUs handled new cases, however, due in part to decentralization reforms, Child Rights Units (CRUs) have not been functional.(5, 43)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Albania took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$117,164.47 (5)	\$142,953.97 (5)
Number of Labor Inspectors	115 (4, 44)	113 (43)
Inspectorate Authorized to Assess Penalties	Yes (4)	Yes (5)
Training for Labor Inspectors		
Initial Training for New Employees	No (4)	Yes (5)
Training on New Laws Related to Child Labor	N/A	Yes (5)
Refresher Courses Provided	No (4, 44)	No (5)
Number of Labor Inspections	45 (44)	171 (5)
Number Conducted at Worksite	Unknown (4)	69 (5)
Number Conducted by Desk Reviews	Unknown (4)	102 (5)
Number of Child Labor Violations Found	16 (4)	21 (5)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (4)	10 (5)
Number of Penalties Imposed that Were Collected	N/A	N/A
Routine Inspections Conducted	No (4)	Yes (5)
Routine Inspections Targeted	N/A (4)	Yes (5)
Unannounced Inspections Permitted	Yes (4)	Yes (5)
Unannounced Inspections Conducted	Unknown (4)	Yes (5)
Complaint Mechanism Exists	Yes (4)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (4)	Yes (5)

The Government has an annual plan to conduct inspections to identify potential dangers to employees. During the summer tourist seasons, the inspections focus on child labor in tourist areas.(5) Due in part to human resource shortages, inspections were not conducted in some fields in which child labor is known to occur in Albania, specifically the agricultural, wholesale and retail trade, hotel restaurants, mining, and informal sectors. In 2016, the 69 inspections conducted at worksites were routine requests required before hiring a minor.(45) While labor inspectors were trained on trafficking in persons (TIP), including child trafficking and proactive identification of TIP victims, inspectors were not trained on hazardous work conditions for children.(5) The total number of labor inspectors decreased from 115 in 2015 to 113 in 2016 due to reduced vacancies.(5, 45) Funding increased to a 10-year high in 2016, although the Labor Inspectorate reported that the budget was insufficient for effective labor law enforcement.(5)

If a child is trafficked for labor exploitation, the agency identifying the child refers the child to the police and state social services and then to an anti-trafficking shelter.(5) If a child is exploited for labor, the identifying agency or individual refers the child to the CPU to create a child care plan.(5) The CPU then refers the child to social services offered by the Government or NGOs.(5)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Albania took actions to combat the worst forms of child labor (Table 7).

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Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Yes (5)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (4)	Yes (37)
Number of Investigations	32 (4)	19 (5)
Number of Violations Found	16 (43)	21 (43)
Number of Prosecutions Initiated	8 (4)	17 (5)
Number of Convictions	5 (4)	8 (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (4)	Yes (5)

In 2016, police, prosecutors, judges, social workers, and civil society group members attended workshops and training focused on TIP identification, services for trafficking victims, and managing children’s cases, including children engaged in the worst forms of child labor.(5, 20, 45) While the number of investigations and prosecutions of child TIP cases increased in 2016, NGOs noted that, due to police turnover, frequent training for police officers is needed to improve identification of child trafficking victims.(20, 37)

Standard operating procedures exist to identify and refer victims of trafficking, although border police rarely used them during the reporting period.(20, 45) In addition, gaps existed in the screening of minors, including migrants travelling to and from neighboring countries.(20, 45) Criminal law enforcement’s national capacity to handle migrant flows is limited due to lack of resources.(46)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
State Agency for the Protection of Children’s Rights	Oversee implementation of the Government’s child rights protection policies, including monitoring the National Action Plan for the Identification and Protection of Children in Street Situations.(4, 5) Manage cases of at-risk children and refer them to appropriate social services.(2, 40-42) Sanction those that fail to protect children from violence and exploitation by a fine or other means of redress.(40, 47)
Office of the National Coordinator for the Fight Against Trafficking in Human Beings (ONAC)	Coordinate all anti-trafficking efforts in Albania.(38) Oversee 12 regional anti-human trafficking committees that carry out local action plans in cooperation with civil society partners. Lead data collection and report writing for the National Database for TIP Victims/Potential Victims.(5)
National Referral Mechanism	Coordinate the identification, protection, referral, and rehabilitation of trafficking victims between Government and civil society organizations.(21) Chaired by the Ministry of the Interior’s ONAC.(21, 43)

In 2016, governmental institutions, the police, and NGOs created a task force to assist children living and working on the streets in Albania.(5) During the reporting period, the Office of the National Coordinator for the Fight Against Trafficking in Human Beings conducted two national awareness-raising campaigns and met three times with the Office of the General Prosecutor and the State Police Task Force to identify investigative and prosecutorial shortcomings in TIP cases. These meetings tapered off due to a lack of participation.(20) In addition, coordination between the State Inspectorate for Labor and Social Services and the Albanian State Police has traditionally been sporadic.(5)

During the reporting period, the State Agency for the Protection of Children’s Rights (the State Agency) organized a national mobilization plan aimed at raising awareness on violence against children.(50) The State Agency also established a child helpline in every public residential institution for children.(20) In addition, the State Agency set up mobile teams to monitor assigned regions for the identification and protection of children and at the local level to offer assistance to parents.(43)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
Strategy for Combating Trafficking in Persons Action Plan (2014–2017)	Outlines a plan to improve law enforcement and prosecutions, build the capacity of programs that provide services to trafficking victims, improve interagency coordination, and train professionals working with street children.(22, 44, 48, 49) Reviewed and updated by ONAC and IOM in 2016 to ensure its continued relevance.(20)
The Action Plan for the Social-Economic Reintegration of Women and Girl Victims (2016–2020)†	Increases resources available to victims and attempts to reintegrate girl trafficking victims by providing education and social services to combat future forced labor and trafficking.(50) Part of the Strategy for Combating Trafficking in Persons Action Plan.(5)
Instruction No. 10 on Cooperation and Intervention Procedures for Assisting Vulnerable Children for Institutions and Structures in Charge of Child Protection	Describes child protection responsibilities of the state police, Ministry of Education, regional Directorates of Social Services, regional Departments of Education, schools, municipal governments, CRUs, and CPUs.(40) Requires all agencies to refer known and suspected cases of child abuse and exploitation to CPUs. Outlines principles for case management and evaluation.(40)
Action Plan for the Identification and Protection of Children in Street Situations (2015–2017)	Defines the roles and responsibilities of various ministries and stakeholders in identifying and providing assistance to street children, including children working on the street.(4, 44)
White Paper on the Future of the Integrated Child Protection System in Albania	Clarifies roles and responsibilities of government agencies involved in child protection, makes government policy recommendations on child protection accountability, addresses mechanisms, and creates a child-friendly justice system.(4, 51)
National Action Plan for Roma and Egyptian Community Reintegration (2016–2020)	Aims to provide Roma and Egyptian children full access to education, reduce discrimination, enhance social inclusion, and promote intercultural dialog between different actors in the community.(22, 52)

† Policy was approved during the reporting period.

Under the Social Assistance and Services Law, the Government increased payments to families who are eligible for assistance and expanded the reach of the program.(5) In 2016, the People’s Ombudsman drafted a report on migrant unaccompanied minors and distributed flyers aimed to prevent sexual abuse and exploitation of children affected by the refugee crisis.(48) In addition, Guideline No. 14 was passed, which gives CPUs and multidisciplinary technical groups the power to immediately intervene to take a child out of a high-risk situation and place the child into a care institution.(5, 53)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor†

Program	Description
UN Programs	Support to Social Inclusion (2012–2016) worked with several government ministries to develop informed policies and strengthen institutions on social inclusion.(45, 54) Albania-UN Program of Cooperation (2012–2016) and the Government of Albania-UN Program of Cooperation for Sustainable Development (2017–2021)* includes goals of increased access to education for vulnerable children and protections for child TIP victims.(55, 56)
TIP Hotline and Shelters	The TIP Helpline, Report, and Save Mobile App, created by ONAC and supported by USAID, UNODC, World Vision, and the Vodafone Albania Foundation, provides services to victims of crime, improves prevention of TIP, and serves as a public awareness tool.(21) The National Shelter Coalition† comprises one state-run and three NGO-run shelters. The National Reception Center for Victims of Trafficking, under the supervision of the Directorate General of State Social Service, provides shelter and access to social services for TIP victims.(57) The <i>Tjeter Vizion</i> NGO shelter provides services for minors. In 2016, ONAC promoted the helpline through awareness-raising activities.(45) In 2016, \$36,500 was allocated to the state-run shelter; 63 TIP victims/potential victims received services, and 95 children TIP victims/potential victims were accommodated in the shelters.(5, 20)
National Emergency Transition Center†	Government-run center that aims to provide vulnerable families with housing, health care, psychosocial and educational services, legal assistance, and employment placement aid. In 2016, housed 37 families and 80 unaccompanied children.(5)

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Table 10. Key Social Programs to Address Child Labor[†] (cont)

Program	Description
Child Allowance Program (<i>Ndihma Ekonomike</i>) [†]	\$46 million government-funded cash transfer program that provides an allowance for families benefiting from economic aid through the Law on Social Assistance and Services. Expanded throughout the country by the 2016 amendments to the law.(58)
Identification and Protection of Children in Street Situations Action Plan (2015–2017)	UNICEF-funded program that protects children from abuse, exploitation, and neglect through an inter-agency plan for the protection of children living and working on the street.(59) Drafted by the Ministries of Social Welfare and Youth, Interior, and Education and Sports. Implemented by municipalities and monitored by the State Agency for the Protection of Children's Rights.(5, 59) In 2016, 24 special mobile teams were formed in 7 municipalities, reaching more than 800 children.(5)

* Policy was launched during the reporting period.

† Program is funded by the Government of Albania.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(5, 20, 48)

While some state or NGO-run services were available for children who were forced to beg, research found no evidence that programs were carried out to assist children working in mining.(20, 43)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Albania (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that using, procuring, and offering of all children under age 18 for illicit activities, including in the production and trafficking of drugs, is criminally prohibited.	2015 – 2016
Enforcement	Provide CRUs and CPUs with sufficient staffing and funding to carry out their work effectively and implement decentralization reforms.	2013 – 2016
	Strengthen the labor inspectorate by providing sufficient training and funding, initiate routine inspections and inspections targeted based on analysis of data related to child labor, risk-prone sectors, and patterns of serious incidents.	2010 – 2016
	Ensure that police investigators receive frequent training on children engaged in the worst forms of child labor and that enough investigations are carried out.	2013 – 2016
	Ensure that the border police officers properly screen minor children, including migrants, and properly implement the Standard Operating Procedures.	2016
Coordination	Coordinate the task force between ONAC, the Office of the General Prosecutor, and the state police to ensure that all parties participate in meetings.	2016
	Increase the coordination between the State Inspectorate for Labor and Social Services and the state police.	2016
Social Programs	Conduct additional research to further identify children's activities in agriculture and construction to inform policies and programs.	2013 – 2016
	Increase resources, access to civil registration, and social services available to children, including Roma and Egyptian children engaged in or at risk of engaging in child labor.	2011 – 2016
	Ensure that barriers to education, such as the prohibitive cost of school supplies, are removed.	2013 – 2016
	Institute programs to assist children being used in mining and forced begging.	2014 – 2016

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- includes all new entrants to last grade (regardless of age). Therefore, the ratio can exceed 100 percent, due to over-aged and under-aged children who enter primary school late/early and/or repeat grades. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
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In 2016, Algeria made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government established the National Committee for the Prevention of and Fight Against Trafficking in Persons. Furthermore, it established the National Authority of Child Protection and Promotion to advocate, in part, for children in danger of economic exploitation. It also provided advanced training for government personnel on investigating and prosecuting trafficking in persons and protecting victims, in coordination with the United Nations Office on Drugs and Crime. However, children in Algeria engage in the worst forms of child labor, including in commercial sexual exploitation and forced begging. Children in Algeria perform dangerous tasks in street work. The Government has not sufficiently prohibited the use of children in illicit activities or determined by national law or regulation the types of work that are hazardous.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Algeria engage in the worst forms of child labor, including in commercial sexual exploitation and forced begging. Children in Algeria perform dangerous tasks in street work.(1-5) Table 1 provides key indicators on children’s work and education in Algeria.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	6.7 (413,729)
Attending School (%)	5 to 14	92.3
Combining Work and School (%)	7 to 14	7.2
Primary Completion Rate (%)		105.8

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(6)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Multiple Indicator Cluster Survey 4 (MICS 4), 2012–2013.(7)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including harvesting olives (1, 2, 8-12)
Industry	Construction, activities unknown (5, 8-10, 12, 13)
Services	Street work, including vending, collecting plastics, and begging (1, 3, 5, 8, 9, 14-18)
	Domestic work (1, 2, 5, 10, 19)
	Working in small workshops and businesses, including mechanics shops (4, 8, 10, 11, 19)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (4, 5, 9, 17, 19, 20)
	Use in illicit activities, including drug trafficking (12)
	Forced begging, sometimes as a result of human trafficking (14, 15, 17)
	Forced domestic work, including drawing water from wells, sometimes as a result of human trafficking (17)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Evidence suggests that children, primarily unaccompanied Sub-Saharan migrants, are subjected to commercial sexual exploitation and forced domestic work.(5, 20-22) Touareg and Maure human traffickers based in northern Mali and southern Algeria force some Sub-Saharan refugee and asylum-seeking children to draw water from wells; those children are often beaten and robbed of their possessions, including their identification documents.(17, 20) Increased instability in neighboring countries has depressed the tourism sector in the southern region of Algeria, created an influx of migrants, and exacerbated the problem of human trafficking.(23) Some migrants—those from Niger, in particular—keep young children, often not their own, at their side while begging in the street.(12, 20)

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In 2016, the Ministry of Labor, Employment, and Social Security (MTESS) reported that most underage workers are employed part-time in the informal service industry, in small family businesses (including restaurants, cafés, and workshops), or on family farms.(24) The Government reported child labor was most prevalent in the provinces of Algiers, Oran, Batna, and Constantine.(25) Research could not find a current and comprehensive study on the activities and scope of the child labor situation in Algeria.(1, 5, 26)

Most children with disabilities do not have the opportunity to access mainstream education, partly because of social stigma, the relatively low number of teachers with specialized training, the lack of a transportation system for children with disabilities, and limited accessibility of school buildings.(1, 19) A study by the NGO Doctors of the World determined that a main reason for non-schooling among migrants is the lack of administrative documents.(27) However, NGOs have reported that the number of migrant children enrolled in schools has increased since the Ministry of Education instructed schools to allow migrant and refugee children to enroll.(19, 25) Barriers to education, including those placed on migrant children and children with disabilities, should be eliminated because absence from school increases vulnerability to child labor. Furthermore, because birth certificates are required to attend school, many unregistered children remain out of school and vulnerable to child labor.(25)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Algeria has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Algeria's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Article 15 of the Labor Code; Article 7 of Executive Decree No. 96-98 on the List and Content of Special Books and Registers Mandatory for Employers (28, 29)
Minimum Age for Hazardous Work	Yes	18	Article 15 of the Labor Code; Article 7 of Executive Decree No. 96-98 on the List and Content of Special Books and Registers Mandatory for Employers (28)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Article 303 <i>bis</i> 4 of the Penal Code (30)
Prohibition of Child Trafficking	Yes		Articles 303 <i>bis</i> 4 and 319 of the Penal Code (30)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 319, 333 <i>bis</i> 1, 343, and 344 of the Penal Code (30)
Prohibition of Using Children in Illicit Activities	No		Article 195 <i>bis</i> of the Penal Code (30)
Minimum Age for Military Recruitment			
State Compulsory	Yes	19	Article 3 of Law No. 14-06 on National Service (31)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
State Voluntary	Yes	17	Article 14 of Presidential Decree No. 08-134 on the National People's Army (32)
Non-state Compulsory	No		
Compulsory Education Age	Yes	16	Article 12 of Law No. 08-04 on National Education (33)
Free Public Education	Yes		Article 13 of Law No. 08-04 on National Education (33)

In 2016, Algeria added a provision to its Constitution, prohibiting the employment of children under the age of 16.(25, 34) Algeria continued to work on a bill to amend the Labor Code; it was noted that further discussions among the Government, trade unions, and businesses were ongoing.(12, 22, 25, 35-37) The Labor Code prohibits anyone under 19 from working at night and anyone under 18 from performing work that is harmful to their health, safety, or morals; however, Algeria has not determined by national law or regulation the types of work that are hazardous.(5, 18, 28, 38) In addition, Algerian law does not provide either increased penalties for or categorize as a separate crime the involvement of children in either the production or trafficking of drugs. Also, the law does not criminally prohibit the recruitment of children under 18 by non-state armed groups.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Employment, and Social Security (MTESS)	Enforce labor laws, including laws related to child labor, through its General Labor Inspectorate, distribute written notices and issue tickets in response to violations, and refer violations to the Ministry of Justice.(8, 19) Supervise the application of laws and regulations related to labor relations, working conditions, and worker safety.(12) Share child labor reports with the Ministry of National Solidarity to ensure follow-up with social services.(12, 14)
Ministry of the Interior and Local Assemblies	Enforce criminal laws related to child trafficking through the Directorate General for National Security (DGSN), which comprises eight active brigades of 77 specialized police officers, focused on illegal immigration and human trafficking and 50 brigades of 300 police officers, specialized in the protection of children.(12, 17, 24, 25)
Ministry of National Defense	Enforce criminal laws pertaining to the worst forms of child labor, including child trafficking, in rural and border regions through the National Gendarmerie.(17) Work with DGSN and NGO Algerian Network for the Defense of Children's Rights to administer hotlines for the reporting of child abuse.(14, 24, 39, 40)
Ministry of Justice	Prosecute child exploitation cases, including those related to non-compliance with labor laws, through its Office of Criminal Affairs and Amnesty Procedures.(39)
National Authority of Child Protection and Promotion*	Protect and promote children's rights and provide advocacy for children in danger of economic exploitation. Act as a liaison between the Ministry of Justice and members of the public alleging violations of children's rights.(12, 24) In 2016, led by an appointed national delegate.(12) Announced plans in December to set up a toll-free phone number and a website to report physical or psychological violence against children.(12)

* Agency responsible for child labor enforcement was created during the reporting period.

Labor Law Enforcement

In 2016, labor law enforcement agencies in Algeria took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (5)	\$21,000,000 (12)
Number of Labor Inspectors	Unknown* (11)	563 (12, 24)
Inspectorate Authorized to Assess Penalties	Unknown (5)	No (18)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (11)	Yes (25)

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Training on New Laws Related to Child Labor	Unknown (5)	N/A (12)
Refresher Courses Provided	Yes (11)	Yes (12)
Number of Labor Inspections	15,093 (25)	11,575 (41)
Number Conducted at Worksite	Unknown (5)	11,575 (12, 18)
Number Conducted by Desk Reviews	Unknown (5)	N/A (18)
Number of Child Labor Violations Found	97 (11)	12 (41)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (5)	Unknown (12)
Number of Penalties Imposed That Were Collected	Unknown (5)	Unknown (12)
Routine Inspections Conducted	Unknown (5)	Yes (24)
Routine Inspections Targeted	Unknown (5)	Yes (24)
Unannounced Inspections Permitted	Unknown (5)	Yes (12)
Unannounced Inspections Conducted	Unknown (5)	Yes (24)
Complaint Mechanism Exists	Yes (14)	Yes (14, 24)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (14)	Yes (24)

* The Government does not publish this information.

The number of labor inspectors is insufficient for the size of Algeria's workforce, which includes over 11 million workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Algeria should employ roughly 785 inspectors, notably in all geographic areas of the country, both urban and rural.(11, 42, 43) In 2016, the Government reported that it set aside 46 days to train 247 inspectors.(12)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Algeria took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown (5)	Yes (25)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (5)	N/A (12)
Refresher Courses Provided	Yes (17)	Yes (24)
Number of Investigations	0 (17)	Unknown (12)
Number of Violations Found	0 (17)	Unknown (12)
Number of Prosecutions Initiated	0 (17)	117 (25)
Number of Convictions	0 (17)	89 (25)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (17)	Yes (12)

In 2016, the National Gendarmerie arrested six individuals in connection with an alleged human trafficking scheme that included 17 children; prosecutions of the individuals are ongoing.(22) The Ministry of Justice prosecuted 117 cases involving illegal employment of children, human trafficking, economic exploitation of a child, or buying and selling of children under the age of 18, with 76 percent of the cases ending in conviction.(24)

UNODC also provided advanced training on investigating and prosecuting human trafficking, and protecting victims to build on the basic training workshop held in 2015. Participants included 12 representatives from various entities and departments that make up the National Committee for the Prevention of and Fight Against Trafficking in Persons and 23 law enforcement officers of the National Gendarmerie, and the Directorate General of National Security.(22, 44) One hundred police officers from the DGSN's child protection brigades received training on the protection of children who are victims of crime. The Ministry of Justice organized six training sessions for 136 judges on the legal framework for the protection of children, and 60 training sessions on

the mistreatment of minors.(25) The Government acknowledged the need for additional training to build the capacity of law enforcement personnel to prevent trafficking in persons, and identify human trafficking victims.(17) The Government has an informal practice in place for law enforcement personnel to refer potential victims of human trafficking to the prosecutor, who then notifies social services as needed.(12, 17, 24)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Commission for the Prevention of and Fight Against Child Labor	Prevent and eliminate child labor by coordinating between government ministries and all other agencies that oversee labor activities.(8, 40) Led by MTESS, with members from the National Labor Union and NGOs, as well as nine other governmental agencies.(40, 45) In 2016, the commission met once as part of an annual meeting to review policies.(24)
National Committee for the Prevention of and Fight Against Trafficking in Persons*	Monitor implementation of the National Action Plan for the Prevention of and Fight Against Trafficking in Persons, established by Decree 16-249. Comprises representatives from the President's Office; the Prime Minister's Office; 12 ministries, including MTESS; and other government entities.(12, 22, 46) In 2016, the committee was formalized by decree and included a budget; 20 people were named to serve on the committee.(12, 24, 46)
National Entity for the Protection and Promotion of Children	Protect children from exploitation and violence, including child labor.(5)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan for the Prevention of and Fight Against Trafficking in Persons	Aims to prevent and reduce human trafficking by raising awareness of the issue, strengthening legislation, prosecuting trafficking crimes, improving the provision of protective services to victims, and increasing collaboration with national and international NGOs.(12, 17) During the reporting period, the Government did not implement measures of the plan; however, efforts were undertaken to name individuals to the nascent National Committee for the Prevention of and Fight Against Trafficking in Persons.(24)

Although the Government of Algeria has adopted the National Action Plan for the Prevention of and Fight Against Trafficking in Persons, research found no evidence of a policy regarding other worst forms of child labor.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Child Labor Awareness Raising*†	The National Commission for the Prevention of and Fight Against Child Labor distributed brochures to raise awareness among employers, workers, parents, and children of the negative consequences of child labor on children's health and education and also organized seminars and cultural events and ran an awareness campaign in cooperation with local mosques.(25)

* Program was launched during the reporting period.

† Program is funded by the Government of Algeria.

Although Algeria has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Algeria (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws prohibit the use of children in all illicit activities, including using, procuring, and offering of children for the production and trafficking of drugs.	2013 – 2016
	Determine the types of hazardous work prohibited for children under the age of 18, in consultation with employers' and workers' organizations.	2009 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
Enforcement	Publish information on the enforcement of child labor laws, including the number of penalties imposed and collected; and the number of criminal investigations, violations, and convictions.	2009 – 2016
	Increase the number of labor inspectors in accordance with the ILO recommendation and ensure that child labor laws are enforced effectively in all geographic areas.	2009 – 2016
	Provide additional training to labor inspectors and criminal law enforcement personnel to build enforcement capacity to address child labor violations, prevent trafficking of persons, and identify human trafficking victims.	2015 – 2016
Government Policies	Ensure implementation of the National Action Plan for the Prevention of and Fight Against Trafficking in Persons.	2016
	Adopt a policy that includes all relevant worst forms of child labor, such as forced begging and commercial sexual exploitation.	2015 – 2016
Social Programs	Research and publish information on children involved in child labor, or are at risk of being involved in it; specify these activities and publish information to inform policies.	2014 – 2016
	Take measures to register children at birth and remove barriers to accessing education, particularly for migrant children and children with disabilities.	2015 – 2016
	Provide sufficient resources to expand existing programs to address the scope of the child labor problem.	2016

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In 2016, Angola made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government drafted a new Penal Code that contains prohibitions on the commercial sexual exploitation of children. The Government also deployed 50 officials to increase birth registration in rural municipalities. However, children in Angola engage in the worst forms of child labor, including in commercial sexual exploitation and forced labor. The gap between the compulsory education age and minimum age for work leaves children ages 12 and 13 vulnerable to the worst forms of child labor. There are not enough labor inspectors to provide sufficient coverage of the workforce. In addition, social programs do not target all sectors in which children work.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Angola engage in the worst forms of child labor, including in commercial sexual exploitation and forced labor.(1-4) Table 1 provides key indicators on children's work and education in Angola.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	25.7 (694,458)
Attending School (%)	5 to 14	65.4
Combining Work and School (%)	7 to 14	22.1
Primary Completion Rate (%)		49.7

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2016.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 2, 2001.(6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including plowing, planting, and picking tomatoes, harvesting vegetables, and the production of rice (1, 4, 7-10)
	Fishing, activities unknown (4)
	Cattle herding (7)
	Production of charcoal (4)
Industry	Artisanal diamond mining (2, 3, 7)
	Mining coal (1)
	Construction, including making and transporting bricks (1, 3, 4, 11)
Services	Street work, including vending, car washing, begging, shoe shining, and transporting heavy loads (1, 4, 9, 10)
	Domestic work (4)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (3, 4)
	Forced labor, including in agriculture, construction, artisanal diamond mining, and domestic work, each sometimes as a result of human trafficking (3, 10, 12)
	Use in illicit activities, including the sale and transport of drugs, and moving illicit goods across the border of Angola and Namibia (3, 4)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.




Undocumented Congolese migrant children enter Angola for work in diamond-mining districts and experience conditions of forced labor or commercial sexual exploitation in mining camps.(3, 7) Girls as young as age 12 are trafficked from Kasai Occidental in the Democratic Republic of the Congo to Angola for forced labor and commercial sexual exploitation. Angolan boys are taken to Namibia and forced to herd cattle.(3)

The Government permitted children to attend school without birth registration, but only up to the fourth grade.(4) Many families face difficulty in paying informal school fees, and many schools do not have enough classroom space for all children.(4, 13)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Angola has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Angola's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Article 254 of the Labor Law (14)
Minimum Age for Hazardous Work	Yes	18	Articles 3(21) and 256 of the Labor Law (14)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 256 of the Labor Law; Joint Executive Decree No. 171/10 (14, 15)
Prohibition of Forced Labor	Yes		Articles 18, 19, and 23 of the Money Laundering Law (16)
Prohibition of Child Trafficking	Yes		Articles 19 and 23 of the Money Laundering Law (16)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 19, 22, and 23 of the Money Laundering Law (16)
Prohibition of Using Children in Illicit Activities	Yes		Articles 4 and 7 of the Drug Trafficking Law (17)
Minimum Age for Military Recruitment			
State Compulsory	Yes	20	Article 2 of the Military Service Law (18)
State Voluntary	Yes	18	Article 11 of the Military Service Law (18)
Non-state Compulsory	No		
Compulsory Education Age	No	12 [‡]	Articles 8 and 17 of the Basic Law of the Education System (19)
Free Public Education	Yes		Article 7 of the Basic Law of the Education System (19)

[‡] Age calculated based on available information (19, 20)

In 2016, the Government continued the process of revising the Penal Code, which began in 2004. The 2016 draft contains prohibitions on the commercial sexual exploitation of children.(21, 22) However, laws related to commercial sexual exploitation are

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not sufficient, as using, procuring, and offering of a child for the production of pornography and pornographic performances are not criminally prohibited.(16)

The hazardous work list, established by Joint Executive Decree No. 171/10, prohibits 57 activities for minors, including fireworks production, animal slaughter, leather production, paper making, and pornography; however, the types of hazardous work prohibited for children do not include diamond mining, an area of work in which there is evidence of work conducted underground.(15)

Ending compulsory education at age 12 leaves children ages 12 and 13 vulnerable to child labor because they are not required to attend school but are also not legally permitted to work.(19, 20) In addition, this age conflicts with the National Development Plan (2013–2017), which sets the compulsory education age at 14.(23)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Public Administration, Labor, and Social Security (MAPTSS)	Enforce laws against child labor. Fine employers or send cases to the Ministry of Interior for further investigation and to the Ministry of Justice and Human Rights for prosecution.(24) Employ labor inspectors in all 18 provinces to carry out inspections and joint operations with social service providers.(25)
National Children’s Institute (INAC)	Receive complaints about cases of child exploitation, including child labor. Conduct inspections and respond to reports of child labor.(24)
National Police, Border Police, and Immigration Services	Enforce criminal laws and conduct operations and investigations related to the worst forms of child labor.(7)
Ministry of Justice and Human Rights	Investigate and prosecute the worst forms of child labor cases.(24)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Angola took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (8)	Unknown (26)
Number of Labor Inspectors	187 (8)	153 (26)
Inspectorate Authorized to Assess Penalties	Yes (8)	Yes (25)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (8)	Yes (26)
Training on New Laws Related to Child Labor	Unknown (27)	Yes (26)
Refresher Courses Provided	Yes (8)	Yes (26)
Number of Labor Inspections	7,147 (8)	5,261 (26)
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	Unknown	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown
Number of Penalties Imposed that Were Collected	Unknown	Unknown
Routine Inspections Conducted	Yes (8)	Yes (26)
Routine Inspections Targeted	Yes (8)	Yes (26)
Unannounced Inspections Permitted	Yes (8)	Yes (25)
Unannounced Inspections Conducted	Yes (8)	Yes (26)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Complaint Mechanism Exists	Yes (8)	Yes (26)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (26)

The number of labor inspectors is insufficient for the size of Angola's workforce, which includes over 10.8 million workers. According to the ILO's recommendation of 1 inspector for every 40,000 workers in less developed economies, Angola should employ approximately 271 labor inspectors.(8, 28-30) In 2016, inspectors conducted 369 unannounced inspections in the industrial and construction sectors.(26)

Inspectors from the Ministry of Public Administration, Labor, and Social Security (MAPTSS) work with the National Children's Institute (INAC) and the Ministry of Assistance and Social Reintegration (MINARS) to ensure that child labor victims receive the appropriate social services.(24)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Angola took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (8)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (8, 31)	Yes (32)
Number of Investigations	Unknown	2 (32)
Number of Violations Found	44 (31)	Unknown (26)
Number of Prosecutions Initiated	2 (31)	4 (32)
Number of Convictions	Unknown (8)	Unknown (26)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (26)

In 2016, the Government conducted two investigations of the commercial sexual exploitation of children and initiated four prosecutions of the worst forms of child labor, one of which involved children exploited for labor on farms.(32)

The National Police and Immigration Services refer victims of the worst forms of child labor to INAC and MINARS to receive social services.(31, 33)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established the Commission to Combat Trafficking in Persons, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Commission to Combat Trafficking in Persons	Coordinate enforcement efforts on human trafficking, including child trafficking for labor and commercial sexual exploitation. Led by the Ministry of Justice and Human Rights.(34)
National Council for Children	Coordinate the Government's efforts on children's issues, including the worst forms of child labor. Led by the Ministry of Assistance and Social Reintegration (MINARS), comprises 17 ministries and related organizations.(7)
MINARS	Ensure coordination among various government agencies related to social welfare and victim protection.(7) A network of institutions and shelters protect children from abusive, exploitative, and dangerous situations.(35)
INAC	Coordinate child protection services. Work with MINARS to provide shelter and help reintegrate children found in child labor situations with their families.(24)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
National Strategy to Prevent and Combat Violence Against Children	Guides the Government's efforts to address violence against children, including physical and psychological violence, child labor, child trafficking, and sexual abuse. Developed by INAC under the Eleven Commitments for Angolan Children policy.(36, 37)
Plan of Action and Intervention Against the Sexual and Commercial Exploitation of Children	Aims to protect and defend the rights of child victims of sexual and economic exploitation, including rehabilitation.(38)

[‡] The Government has other policies which may have addressed child labor issues or had an impact on child labor.(23)

Research was unable to determine whether activities were undertaken to implement the Plan of Action and Intervention Against the Sexual and Commercial Exploitation of Children during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
Social Protection Programs [†]	INAC-implemented national network of child support centers that offer legal and psychological assistance, meals, and basic education to crime victims, including child trafficking victims.(3, 31) MINARS, the Ministry of Family and Women's Affairs, and the Organization of Angolan Women operate 52 children's shelters.(3)
Microcredit Project [†]	MAPTSS program that provides cash assistance to parents so that their children do not need to work.(7)
Birth Registration and Justice for Children [†]	Government-run program that makes birth registration free for all Angolan citizens. Aims to expand birth registration coverage of all children from 56 to 80 percent by the end of 2017.(39) During the reporting period, UNICEF supported the Government to train and deploy 50 officials to municipalities in which it is most difficult to deliver birth registration services.(40)
UNICEF Country Program (2015–2019)	UNICEF program, in coordination with the Government, that is designed to plan and implement education and child protection-focused interventions.(41) Collaborates with MINARS, INAC, and NGOs to run a child helpline in Luanda province.(13)
National Institutes of Job and Professional Training [†]	Government-funded program of 555 centers that provides professional training for youth so that they have skills to enter the formal labor market.(7, 42)
Mobile Schools and Free Meals for Children [†]	Ministry of Education program that provides education in mobile schools to migrant children who work with their parents in cattle herding. Specifically targets children at the highest risk of involvement in child labor in southern Angola.(7) Supports some mobile schools with kitchens, which facilitate the free school meals program.(7, 24, 43) Research was unable to determine whether the Government restarted the free school meals program after it was halted in the beginning of 2016.(22)

[†] Program is funded by the Government of Angola.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(44)

During the reporting period, the Government conducted human trafficking awareness raising campaigns at local universities and on the radio and television.(32) Although Angola has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem. Furthermore, research did not identify programs that target children engaged in certain worst forms of child labor, such as commercial sexual exploitation and forced labor.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Angola (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the legal framework protects children from exploitation in child pornography and pornographic performances.	2014 – 2016
	Ensure that the law prohibits hazardous occupations or activities for children in all relevant sectors in Angola, including diamond mining.	2011 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Increase the compulsory education age to 14 to be consistent with the National Development Plan and the minimum age for work.	2009 – 2016
Enforcement	Publish information regarding the labor inspectorate's funding, the number of labor inspections conducted at worksites and by desk review, child labor violations found, and penalties imposed and collected, as well as training for new criminal investigators, the number of violations found, and convictions achieved.	2011 – 2016
	Strengthen the labor inspection system by increasing the number of labor inspectors in order to provide sufficient coverage of the workforce.	2009 – 2016
Coordination	Establish coordinating mechanisms to combat child labor, including in all its worst forms.	2016
Government Policies	Ensure that the Plan of Action and Intervention Against the Sexual and Commercial Exploitation of Children is effectively implemented.	2014 – 2016
Social Programs	Develop and expand existing social programs to ensure that all children have access to education and are not restricted by informal fees, lack of birth certificates, and lack of classroom space. Ensure the continuation of the free school meals program.	2013 – 2016
	Institute programs that target children engaged in commercial sexual exploitation and forced labor, and expand existing programs to address the scope of the child labor problem.	2010 – 2016

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In 2016, Argentina made a significant advancement in efforts to eliminate the worst forms of child labor. The Government issued an Executive Decree that determined in law the types of hazardous occupations prohibited for children under age 18 and ratified the Protocol of 2014 to ILO C. 29 on Forced Labor. The Ministry of Labor, Employment, and Social Security conducted trainings on child labor and adolescent work for labor inspectors, government officials, and union delegates around the country. The National Commission for the Eradication of Child Labor coordinated government efforts to implement child labor research, strengthen child labor law enforcement, and develop commitments by the private sector to prevent and eliminate child labor. In addition, the Government convened agencies from the UN System for Development in Argentina to discuss plans for the IV Global Conference on Child Labor, which Argentina will host in 2017 in cooperation with the ILO. The Government also expanded the Universal Child Allowance Program to more than 3.7 million children. However, children in Argentina perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. The Government does not appear to publish comprehensive labor and criminal law enforcement data on child labor, including its worst forms, and social programs that address child labor in agriculture do not appear to address the full scope of the problem.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Argentina perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking.(1-6) In November 2016, the Government, in collaboration with the ILO, began implementing the National Survey on Children and Youth Activities (EANNA) to assess child labor in urban areas, and planned for a similar survey for rural areas in 2017.(6, 7) Table 1 provides key indicators on children’s work and education in Argentina.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.2 (258,286)
Attending School (%)	5 to 14	98.5
Combining Work and School (%)	7 to 14	4.8
Primary Completion Rate (%)		101.8

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(8)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from *Módulo de Actividades de Niños, Niñas y Adolescentes, 2012*.(9) Data on working children, school attendance, and children combining work and school are for urban areas only. According to UN data, 91.8 percent of the population of Argentina lives in urban areas (see <http://data.un.org/CountryProfile.aspx?crName=ARGENTINA>).

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Harvesting blueberries, carrots, cotton, garlic, grapes, olives, onions, potatoes, strawberries, and tomatoes (4, 10-22)
	Harvesting yerba mate (stimulant plant) and tobacco (1-3, 23-26)
	Production of garments (27, 28)
Industry	Production of bricks and wooden crates (6, 12, 29-31)
	Construction,† activities unknown (12, 32)
Services	Street begging and performing, windshield-washing, guarding parked cars (12, 33-35)
	Refuse collection, recycling, and garbage scavenging (12, 19, 33, 36-38)
	Domestic work (33, 39)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [†]	Commercial sexual exploitation, sometimes as a result of human trafficking, and use in the production of pornography (5, 6, 33, 40)
	Forced labor in the production of garments (21, 41, 42)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.







[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Although the extent of the problem is unknown, reports indicate that girls from Argentina’s northern provinces are often victims of human trafficking for commercial sexual exploitation.(43, 44) Children of Bolivian immigrants in Argentina engage in child labor in agriculture and domestic service, and engage in forced child labor in the production of garments.(18, 39, 42) Although the extent of the problem is unknown, reports indicate that the trafficking of Bolivian children to Argentina for labor and commercial sexual exploitation has increased.(45–47) Reports also indicate that Paraguayan children are trafficked to Argentina for commercial sexual exploitation.(5, 43, 48)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Argentina has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

In 2016, Argentina ratified the Protocol of 2014 to ILO C. 29 on Forced Labor.(49, 50)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Argentina’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Articles 2, 7, and 17 of the Prohibition of Child Labor and Protection of Adolescent Work Law; Article 9 of the Special Code on Contracting Domestic Workers; Article 1 of the Child Labor Law; Article 25 of the Child and Adolescent Rights Protection Law; Articles 54–55 of the Law on Agrarian Work (51–55)
Minimum Age for Hazardous Work	Yes	18	Article 10 of the Prohibition of Child Labor and Protection of Adolescent Work Law; Articles 176 and 191 of the Law on Labor Contracts; Article 62 of the Law on Agrarian Work (51, 55, 56)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 1 of Executive Decree 1117/2016 on Dangerous Work (57)
Prohibition of Forced Labor	Yes		Article 15 of the Constitution; Articles 1 and 24–26 of the Modifications to the Prevention of and Sanction Against Trafficking in Persons and Assistance to Victims Law; Article 9 of the Child and Adolescent Rights Protection Law (53, 58, 59)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Child Trafficking	Yes		Articles 1 and 25–26 of the Modifications to the Prevention of and Sanction Against Trafficking in Persons and Assistance to Victims Law; Article 9 of the Child and Adolescent Rights Protection Law (53, 59)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 1 and 21–23 of the Modifications to the Prevention of and Sanction Against Trafficking in Persons and Assistance to Victims Law; Article 6 of the Crimes Against Sexual Integrity Law; Article 128 of the Penal Code (59-61)
Prohibition of Using Children in Illicit Activities	Yes		Article 11 of the Possession and Trafficking of Drugs Law (62)
Minimum Age for Military Recruitment			
State Compulsory	Yes*	18	Article 19 of the Voluntary Military Service Law (63)
State Voluntary	Yes	18	Article 8 of the Voluntary Military Service Law (63)
Non-state Compulsory	No		
Compulsory Education Age	Yes	18‡	Articles 16 and 29 of the National Education Law; Article 2 of the Law on Early Education (64-66)
Free Public Education	Yes		Articles 15–16 of the Child and Adolescent Rights Protection Law (53)

* No conscription in practice (67)

‡ Age calculated based on available information (64)

In 2016, the Government issued Executive Decree 1117, which determined the types of hazardous occupations prohibited to children under age 18.(57)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Employment, and Social Security (MTESS)	Enforce child labor laws, in part through its Coordinating Body for the Prevention of Child Labor and the Regulation of Adolescent Work (COORDITIA). Oversee the National Commission for the Eradication of Child Labor (CONAETI).(33, 68, 69) Collaborate with the National Registry of Agricultural Workers and Employers (RENATRE) in enforcing child labor laws in the agricultural sector.(6, 34, 70) Maintain a national hotline through which labor violations can be reported.(35)
Ministry of Justice and Human Rights	Maintain a tribunal for adjudicating disputes in domestic service work and telephone lines for reporting cases of child labor and forced labor.(71)
Office for the Rescue and Care of Trafficking Victims	Provide emergency legal and other assistance to victims of labor and sex trafficking, including child victims. Under the Ministry of Justice and Human Rights.(72) Maintain Regional Offices that coordinate the provision of legal and social services to trafficking victims in the Provinces of Chaco, Chubut, La Pampa, La Rioja, Mendoza, Rio Negro, and Santa Fe.(43, 73-75) Maintain a hotline through which alleged crimes of trafficking in persons can be reported.(72)
Public Prosecutor's Anti-Trafficking Division (PROTEX)	Prosecute crimes of trafficking in persons for labor and commercial sexual exploitation, instruct federal personnel in the investigation of human trafficking, and design criminal policy in human trafficking.(76-78)
National Immigration Directorate	Direct the National Immigration Police, oversee the rights of migrants, and assist in investigating cases of international human trafficking.(79)
Federal Police	Conduct human trafficking investigations through its Trafficking in Persons Division.(28)
Federal Administration of Public Revenue (AFIP)	Ensure employer compliance with national laws, assist in workplace and labor-related inspections, and initiate prosecutions of labor violations through the Penal Section of its Social Security Directorate.(28, 80, 81)

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Labor Law Enforcement

In 2016, labor law enforcement agencies in Argentina took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	584 (82)	421 (83)
Inspectorate Authorized to Assess Penalties	Yes (35)	Yes (6)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Yes (84)
Training on New Laws Related to Child Labor	Yes (85)	Yes (6)
Refresher Courses Provided	Yes (35)	Yes (84)
Number of Labor Inspections	144,613 (86)	156,956 (87)
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	Unknown	458 (87)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown* (35)	21 (6)
Number of Penalties Imposed That Were Collected	Unknown* (35)	Unknown* (6, 88)
Routine Inspections Conducted	Yes (35)	Yes (6)
Routine Inspections Targeted	Yes (35)	Yes (6, 88)
Unannounced Inspections Permitted	Yes (35)	Yes (6)
Unannounced Inspections Conducted	Yes (35)	Yes (88)
Complaint Mechanism Exists	Yes (35)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Unknown

* The Government does not publish this information.

The number of labor inspectors is insufficient for the size of Argentina's workforce, which includes more than 17.7 million workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in industrializing economies, Argentina should employ roughly 1,181 labor inspectors.(89-91)

The Ministry of Labor, Employment, and Social Security's (MTESS) Coordinating Body for the Prevention of Child Labor and the Regulation of Adolescent Work (COODITIA) conducted numerous trainings on child labor and adolescent work for labor inspectors, government officials, and union delegates located around the country; some of the participants took part in targeted inspections, including in sawmills and in the cotton, rice, and yerba mate sectors.(6, 84)

Reports indicate that COODITIA refers children removed from child labor through labor inspections to social protection agencies for services.(34) However, research could not determine whether social protection agencies have procedures to reciprocally refer children rescued from child labor to the MTESS for labor law enforcement, in particular in Argentina's provinces. Research could not find comprehensive information on how many children were referred between the MTESS and social services in 2016.(6)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Argentina took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	N/A
Refresher Courses Provided	Unknown	Yes (6, 92)
Number of Investigations	Unknown	Unknown

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor (cont)

Overview of Criminal Law Enforcement	2015	2016
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown	Unknown

In 2016, the number of investigators from the Public Prosecutor’s Anti-Trafficking Division (PROTEX), the Federal Police, or other criminal law enforcement agencies dedicated to investigating the worst forms of child labor was not known. Research could also not determine whether agencies engaged in enforcing criminal laws related to child labor had sufficient resources to carry out their mandates.

In 2016, PROTEX initiated 293 preliminary investigations of alleged crimes of trafficking in persons; however, research could not determine the number of these investigations, or the number of violations found through them, that involved child victims.⁽⁷⁵⁾ PROTEX reported that 54 individuals were charged with crimes of trafficking in persons for sexual or labor exploitation; however, the number of prosecutions involving other worst forms of child labor is unknown. During the reporting period, 19 cases of trafficking in persons were prosecuted in federal courts, with 18 resulting in the conviction of 46 individuals. However, research could not determine how many individuals were prosecuted or convicted for other worst forms of child labor.⁽⁹³⁾

The Office for the Rescue and Care of Trafficking Victims and the National Secretariat for Childhood, Adolescence, and Family (SENNAF) provide legal and other assistance to survivors of human trafficking.^(45, 72) However, research could not determine the number of child trafficking victims who received these services during the reporting period.

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Commission for the Eradication of Child Labor (CONAETI)	Coordinate national efforts to monitor and eliminate child labor and implement the National Plan for the Prevention and Eradication of Child Labor. ^(33, 94-98) Led by the MTESS and re-established in October 2016 to comprise nine government agencies, representatives from UNICEF, the ILO, industry associations, and labor unions. ^(33, 87, 98, 99) In 2016, coordinated government efforts to implement child labor research, strengthen child labor law enforcement, and develop commitments by the private sector to prevent and eliminate child labor. ⁽¹⁰⁰⁾
Provincial Commissions for the Prevention and Eradication of Child Labor (COPRETI)	Coordinate efforts to prevent and eliminate child labor at the provincial level, including through Local Roundtables on Child Labor at the municipal level. ^(33, 95, 99, 101, 102) . Composed of representatives from government agencies, NGOs, labor unions, and religious institutions; there are 23 COPRETI. ^(99, 101)
National Secretariat for Childhood, Adolescence, and Family (SENNAF)	Establish public policies through its Childhood and Adolescence Protectorate to secure the rights of children and adolescents; coordinate child protection efforts with other government ministries and NGOs, and provide assistance to trafficking victims. Overseen by the Ministry of Social Development. ⁽¹⁰³⁾
Child and Adolescent Labor Monitoring Office (OTIA)	Conduct qualitative and quantitative research on child and adolescent labor to provide policy analysis and inform programming to eradicate child labor and regulate adolescent labor. Created through the Undersecretariat of Technical Programming and Labor Studies of the MTESS. ^(95, 99, 104)
Coordinating Unit for Children and Adolescents in Danger of Commercial Sexual Exploitation	Provide guidance to relevant institutions; run workshops and research programs regarding commercial sexual exploitation; and assist children, adolescents, and their families. Formed within the Ministry of Justice and Human Rights. ⁽¹⁰⁵⁾
Federal Council for Human Trafficking	Coordinate government-wide efforts to combat human trafficking. Composed of representatives from the three branches of government and NGOs. Presided by the National Council of Women. ⁽⁶⁾
Executive Council to Fight Human Trafficking and to Protect and Assist Victims	Coordinate executive branch efforts to combat human trafficking. Composed of representatives of the Ministry of Justice and Human Rights, the Ministry of Security, and the MTESS. ⁽⁴⁵⁾
Network of Businesses Against Child Labor	Develop initiatives to raise awareness of child labor and programs to prevent and eradicate child labor. Formed through a partnership among the MTESS, CONAETI, and the businesses that comprise it. ^(94, 106, 107)

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V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
Third National Plan for the Prevention and Eradication of Child Labor and the Regulation of Adolescent Work (2016–2020)	Aims to prevent and eliminate child labor, including its worst forms, and to regulate adolescent work. Promotes the dissemination of information on child labor, strengthens the COPRETI and creates Local Roundtables on Child Labor, promotes families' livelihoods, strengthens the labor inspectorate, fosters civil society engagement on child labor issues, provides for a more inclusive educational system, raises awareness of the safety and health implications of child labor, and promotes institutional and legislative strengthening regarding child labor issues.(108, 109)
Strategic Framework for Cooperation Between Argentina and the UN System for Development (2016–2020)	Establishes development priorities for Argentina as agreed upon by the Government and the agencies comprising the UN System for Development in Argentina. Comprises five areas for cooperation, including the expansion of social protection floors and the promotion of inclusive and sustainable economic growth, which prioritizes the prevention and elimination of child labor and forced labor, as well as the protection of adolescent workers.(110)

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(111)

In December 2016, the Government convened agencies from the UN System for Development in Argentina to discuss plans for the IV Global Conference on the Sustained Eradication of Child Labor, which Argentina will host in 2017 in cooperation with the ILO. The conference theme will include forced labor for the first time, in line with efforts to achieve Target 8.7 of the UN Sustainable Development Goals, which calls for the prevention and elimination of child labor, including its worst forms, and forced labor. The conference will also promote labor market transitions for safe youth employment.(112)

The Government does not appear to have included child labor elimination and prevention strategies into the National Plan on Compulsory Education and Teacher Training (2012–2016).(113)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
Universal Child Allowance Program (Asignación Universal) [†]	Government program funded in part by the World Bank that provides a cash transfer to unemployed parents and workers in the informal economy, contingent upon parents' fulfillment of health and education requirements for their children.(37, 99, 114) In 2016, expanded coverage from 3.5 million to more than 3.7 million children.(115, 116)
RENATRE Awareness-Raising Campaigns [†]	RENATRE campaigns that raise awareness of child labor in agriculture and inform families and children of the right to education.(117, 118)
CONAETI Awareness-Raising Campaigns	CONAETI/Network of Businesses Against Child Labor campaigns that make businesses and the general public aware of child labor in sourcing and supply chains.(6, 106)
USDOL-funded Projects to Support Apprenticeships*	USDOL-funded, \$3 million Project to Promote Workplace-Based Training for Vulnerable Youth in Argentina (2016–2019) and \$1.4 million Promoting Apprenticeship as a Path for Youth Employment in Argentina through Global Apprenticeship Network (GAN) National Networks (2016–2018). Additional information is available on the USDOL Web site .
Harvest Day Care and Future Programs	COPRETI/Network of Businesses Against Child Labor programs that aim to reduce child labor in the production of crops, in which work is often performed by entire families. Program places children in day care centers with educational programs.(10, 119-122)
Program to Strengthen Schools in Agricultural Areas [†]	RENATRE program that provides infrastructural developments, operating costs, and pedagogical development to rural schools located in agricultural areas, where children may be at risk of child labor.(35, 93, 123, 124)
Campaign to Report Human Trafficking	Government campaign to raise public awareness of human trafficking and to encourage use of the national human trafficking hotline.(75)

* Program was launched during the reporting period.

[†] Program is funded by the Government of Argentina.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(6, 19, 75, 125-128)

Reports indicate that the Universal Child Allowance Program has had a positive impact on the reduction of child labor since it began in 2009.(129-131) However, programs that address child labor in the agricultural sector do not appear to address the full scope of the problem. Research also did not find programs that specifically targeted children engaged in street begging and performing, windshield-washing, and guarding parked cars.

In Argentina, education is compulsory until age 18, which is the qualifying age for participation in many youth employment programs, including most apprenticeships. However, reports indicate that many children, including children ages 16 and 17, do not finish secondary education.(92, 115, 132) Children ages 16 and 17 who have not finished secondary school, and who are legally allowed to work, are often unable to find jobs in the formal sector.(92, 132) Without eligibility to participate in youth employment programs until age 18, these children are at an increased risk of engaging in dangerous work. In addition, without formal training, these children are more likely to remain in informal work as adults.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Argentina (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
Enforcement	Publish information on the level of funding allocated to the labor inspectorate.	2015 – 2016
	Ensure that there are a sufficient number of labor inspectors to enforce labor laws throughout the country.	2015 – 2016
	Publish information on the number of labor inspections conducted at worksites and through desk reviews, as well as on the penalties collected for child labor violations.	2015 – 2016
	Publish information on the number of children removed from child labor, including its worst forms, who received services and the mechanisms by which labor law enforcement and social service agencies reciprocally refer cases.	2014 – 2016
	Publish information on the number of criminal investigators who investigate child labor-related crimes and ensure that they have sufficient resources to enforce laws on the worst forms of child labor.	2014 – 2016
	Publish information on the number of criminal investigations, violations, prosecutions, and convictions for the worst forms of child labor.	2015 – 2016
	Ensure that there is a reciprocal referral mechanism between criminal law enforcement agencies and social services for cases of the worst forms of child labor.	2015 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into the National Plan on Compulsory Education and Teacher Training.	2015 – 2016
Social Programs	Expand the coverage and scope of programs that target child labor in agricultural activities.	2012 – 2016
	Develop specific programs that target child labor in street begging and performing, windshield-washing, and parked car caretaking.	2009 – 2016
	Extend youth employment and vocational training programs to children ages 16 and 17 that also allow children to complete their compulsory schooling.	2015 – 2016

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Armenia

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

In 2016, Armenia made a minimal advancement in efforts to eliminate the worst forms of child labor. Despite new initiatives to address child labor, Armenia is receiving this assessment because it continued to implement a law that delayed advancement in eliminating the worst forms of child labor. The Government failed to remedy the uncertainty regarding its authority to monitor, inspect, and enforce child labor laws caused by its 2014 repeal of Article 34 of the Labor Code, which previously established the Government's authority to conduct routine labor inspections. Since that time, the Government has lacked a functioning labor inspection mechanism to monitor, inspect, and enforce child labor laws. Otherwise, the Government made efforts by publishing a National Child Labor Survey and adopting the National Plan of Action Against Trafficking in Persons and Exploitation.

However, children in Armenia performed dangerous tasks

in agriculture. The Government also lacks a mechanism to coordinate its efforts to address all forms of child labor, including its worst forms. In addition, no programs exist to aid children engaged in work activities in agriculture.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Armenia perform dangerous tasks in agriculture.(1-7) Table 1 provides key indicators on children's work and education in Armenia.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	7.0 (24,602)
Working children by sector	5 to 14	
Attending School (%)	5 to 14	95.4
Combining Work and School (%)	7 to 14	8.6
Primary Completion Rate (%)		99.1

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(8)

Source for all other data: Understanding Children's Work Project's analysis of statistics from National Child Labor Survey, 2015.(9)

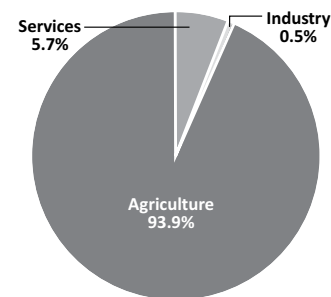
Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including planting and harvesting potatoes (1-7)
	Raising livestock, including cattle breeding, cattle herding, and shepherding (2, 3, 5, 7, 10)
Industry	Construction, activities unknown (1, 5-7, 11)
Services	Vehicle maintenance (3, 7)
	Selling food (7)
	Street work, including gathering scrap metal, selling flowers, and begging (1-3, 5, 11-13)
	Working in shops (5, 7)
	Dancing in clubs (3, 5)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (3, 6, 14-17)
	Forced begging, sometimes as a result of human trafficking (3, 6, 15)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Figure 1. Working Children by Sector, Ages 5-14



MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

In 2016, the Government published a National Child Labor Survey conducted by the National Statistical Service in cooperation with the ILO. Survey results showed that a majority of children in hazardous child labor worked in agriculture.(7) Data showed that boys were more likely than girls to be engaged in child labor, and that child labor is more prevalent in rural areas.(7)




Although Article 38 of the Constitution of Armenia and Article 6 of the Law of Republic of Armenia on Education guarantee free universal education, children from low-income families and from families belonging to ethnic minorities continue to have reduced access to education.(18, 19) Children with disabilities also face difficulty accessing mainstream education due to the inaccessibility of the physical infrastructure of schools, a lack of community-based support services for the child and the family, and a general social stigma against individuals with disabilities.(18-21) As a result of these barriers, more than 70 percent of children with disabilities in the care of the state and almost 20 percent of children with disabilities in the care of their families reportedly do not attend school.(21, 22) Changes to the Law on Public Education that came into effect in January 2015 require all schools to be inclusive for children with disabilities by 2025.(19, 23)

The rate of institutionalization of children remained high in 2016. Children enrolled in government boarding schools, orphanages, and special education institutions were likely to experience physical and psychological violence and were at a higher risk of becoming victims of human trafficking.(6, 19, 22)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Armenia has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Armenia's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Articles 15 and 17 of the Labor Code; Article 57 of the Constitution (24, 25)
Minimum Age for Hazardous Work	Yes	18	Article 257 of the Labor Code (24)
Identification of Hazardous Occupations or Activities for Children	Yes		Law on Approval of the List of Occupations and Work That Are Likely to be Heavy and Hazardous for Persons Under the Age of 18 years, Pregnant Women, and Women Taking Care of a Child under the Age of 1 year; Articles 140, 148–149, 153, 155, 209, 249, and 257 of the Labor Code (24, 26)
Prohibition of Forced Labor	Yes		Article 57 of the Constitution; Article 3 of the Labor Code; Articles 132 and 132.2 of the Criminal Code (24, 25, 27)
Prohibition of Child Trafficking	Yes		Articles 132 and 132.2 of the Criminal Code (27)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 132.2, 166, and 261–263 of the Criminal Code (27)

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MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Using Children in Illicit Activities	Yes		Articles 63, 165, 166.1, and 266.1 of the Criminal Code (27-29)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Articles 5 and 11 of the Law on Conscription (30)
State Voluntary	Yes	18	Articles 4 and 10 of the Law on Military Service (31)
Non-state Compulsory	Yes	18	Article 29 of the Law on the Rights of the Child; Articles 63, 165, and 224 of the Criminal Code (27, 32)
Compulsory Education Age	Yes	16	Article 18 of the Law on Education (33)
Free Public Education	Yes		Article 38 of the Constitution; Article 6 of the Law on Education (25, 33)

Children ages 14 and 15 may work restricted hours with the permission of a parent or guardian; however, the Labor Code does not list specific activities that constitute light work.(24, 34)

Although forced labor is prohibited by the Constitution, Criminal Code, and Labor Code, enforcement of this prohibition is hindered by the lack of a definition of “forced labor” in Armenian law.(35)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
State Health Inspectorate (SHI)	Enforce labor laws and impose sanctions for violations.(36) In particular, enforce occupational safety and health provisions through the Oversight Department for Work Safety and other labor laws through the Oversight Department Over the Implementation of Labor Code Norms.(37)
Main Department on Especially Serious Crimes Within the Investigative Committee	Investigate cases of child trafficking and the commercial sexual exploitation of children referred to the Investigative Committee by the police.(20, 38)
Department on Defending the Rights of Minors and Combating Domestic Violence Within the Police	Identify and conduct preliminary investigation of crimes in which children are victims or perpetrators.(14, 20) Enforce laws against the worst forms of child labor under the General Department of Criminal Intelligence.(20, 28) Refer identified crimes to the Investigative Committee for further investigation.(20)
Anti-Trafficking Unit Within the Police	Identify and conduct preliminary investigation of crimes related to child trafficking and the commercial sexual exploitation of children through a staff of seven field officers. Operate within the Department of Combating High-Tech related (Cyber) Crimes, Human Trafficking, Illegal Migration, and Terrorism of the General Department on Combating Organized Crime.(39) Refer identified crimes to the Investigative Committee for further investigation.(20)
Police Hotline	Receive complaints related to human trafficking and migration issues.(6)

Due to successive legislative changes reorganizing labor inspection in Armenia and a lack of clarity surrounding the legal mandate for conducting inspections, in 2016 the State Health Inspectorate (SHI) was unable to systematically monitor or enforce child labor laws in Armenia.(35, 40)

As part of a broader inspection reform agenda in Armenia, responsibility for conducting labor inspections was transferred from the State Labor Inspectorate, which was abolished in 2013, to the Department of Work Safety Control within the SHI, created the same year.(35, 40) Subsequent changes to legislation regulating labor inspections, including the 2014 repeal of Article 34 of the Labor Code, which previously established the Government’s authority to conduct routine labor inspections, have left the SHI’s mandate to conduct inspections unclear. As a result, a moratorium placed on labor inspections in 2015 is expected to remain in effect at least until the Government’s program of inspection reform is completed in 2017.(35, 40)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Armenia did not take actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	60 (41)	60 (35)
Inspectorate Authorized to Assess Penalties	Yes (41)	Yes (41)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to Child Labor	No (41)	No (42)
Refresher Courses Provided	No (41)	Unknown
Number of Labor Inspections	72 (37)	0 (35)
Number Conducted at Worksite	Unknown	0 (35)
Number Conducted by Desk Reviews	Unknown	0 (35)
Number of Child Labor Violations Found	1 (37)	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	0 (41)	Unknown
Number of Penalties Imposed that Were Collected	N/A	0 (42)
Routine Inspections Conducted	Yes (41)	No (35)
Routine Inspections Targeted	Yes (41)	No (35)
Unannounced Inspections Permitted	No (41)	No (35)
Unannounced Inspections Conducted	No (41)	No (35)
Complaint Mechanism Exists	Yes (37)	Yes (42)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (37)	Yes (42)

When labor inspections were transferred to the SHI, the number of labor inspectors was reduced from 146 to 60, which the SHI reported was insufficient to fully enforce labor laws prior to the cessation of inspections. The 20 inspectors based at the SHI headquarters are civil servants, while the remaining 40 are contractors.⁽⁴³⁾ The SHI reports that while civil servants must receive training at least once every 3 years, there is no requirement that contractors receive regular training. As a result, the SHI anticipates that the high proportion of contracted inspectors will negatively impact the overall training level and competency of the body of inspectors over time.⁽⁴³⁾

In addition, the SHI lacks sufficient funding, workspace, computers, and transportation to effectively enforce labor laws. SHI officials reported that inspectors are often required to walk to inspection sites to perform inspections due to a lack of transportation.^(41, 43) Inspectors do have the authority to enter the premises of a business during the course of inspections.⁽⁴¹⁾

Although inspectors do not have the right to issue penalties for violations discovered during the course of investigations, the head of the SHI, his deputies, and regional unit managers do have the power to review cases of violations and issue administrative penalties.⁽⁴¹⁾ An SHI official indicated that penalties for violations of labor laws were insufficient to deter violations.⁽³⁷⁾

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Armenia took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (41)	Yes (42)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes (42)
Refresher Courses Provided	Yes (41)	Yes (40)

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Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor (cont)

Overview of Criminal Law Enforcement	2015	2016
Number of Investigations	Unknown	2 (42)
Number of Violations Found	3 (41)	1 (42)
Number of Prosecutions Initiated	2 (41)	1 (42)
Number of Convictions	Unknown	0 (40)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (41)	Yes (41)

The Main Department on Especially Serious Crimes within the Investigative Committee has 40 investigators, 7 of whom are specialized in investigating human trafficking cases, and the Government reports that overall almost 300 police officers and investigators are engaged in investigations of crimes involving children.(38, 41, 44) The Investigative Committee requires that its personnel receive training at least once every 2 years.(41)

Child victims discovered during the course of criminal investigations are referred to the Fund for Armenian Relief Children’s Center, where they are provided with specialized social services.(41) A source reported that because not all the children who are referred to social service providers by the police are officially registered as victims, official statistics for begging, forced begging, and commercial sexual exploitation may underreport the scope of the problem.(3)

Research found that although the police work with social service providers when conducting the pre-investigation, the Investigative Committee does not typically work with social service providers to ensure the well-being of the children during the investigation period.(3) In addition, a source reported that law enforcement officials do not receive sufficient specialized training on interviewing child victims of crime, which in some cases can prevent local investigators from collecting sufficient evidence to build a prosecutable case.(3, 40) The Government’s implementation of the provisions on victim and witness protection in the Criminal Procedural Code continued to be inadequate due to the lack of an appropriate victim witness protection mechanism and insufficient funding for these efforts.(6, 45)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established coordinating mechanisms to combat human trafficking and ensure the protection of child rights, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Commission on the Protection of Child Rights	Coordinate activities of state bodies responsible for child protection, assist in developing state policy and programs aimed at the protection of children’s rights, and assist in developing solutions to new child welfare problems as they arise. Facilitate cooperation between state and local government and NGOs. (28) Maintain a working group to prevent child begging.(28)
Ministerial Council to Combat Human Trafficking	Implement, coordinate, and monitor government efforts on human trafficking.(15, 28) Chaired by the Deputy Prime Minister.(15)
Inter-Agency Working Group Against Trafficking in Persons	Advise, organize, and implement decisions made by the Ministerial Council to Combat Human Trafficking.(15) Composed of officials from all government entities; non-governmental stakeholders participate in regular meetings.(15, 28)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
Concept on Combating Violence Against Children	Defines government priorities for combating violence against children and outlines a list of related activities. Addresses labor exploitation of children, especially in rural communities, and commercial sexual exploitation of children, especially child trafficking.(38)

Table 9. Key Policies Related to Child Labor (cont)

Policy	Description
National Plan of Action Against Trafficking in Persons and Exploitation (2016–2018) [†]	Aims to improve the legal framework and enforcement of legislation related to trafficking in and exploitation of children. Planned activities include developing tools for identification of the worst forms of child labor, as well as a guide for the proper identification and referral of child trafficking victims.(35, 46) In 2016, the Government conducted trainings for law enforcement personnel on legislation prohibiting the worst forms of child labor.(35)

[†] Policy was approved during the reporting period.

Armenia’s Strategic Program for the Protection of Children’s Rights, which outlines the Government’s child rights protection program, does not incorporate child labor concerns.(20, 35) The UNDAF Plan for Armenia, which focuses on poverty reduction, also lacks specific provisions on child labor.(21)

Research was unable to determine whether activities were undertaken to implement the Concept on Combating Violence Against Children during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
Global Research on Child Labor Measurement and Policy Development (MAP)	USDOL-funded research project implemented by the ILO, which supported the publication of a National Child Labor Survey in 2016. For additional information on USDOL’s work, please see our Web site.(47)
Family Benefits Program [†]	Ministry of Labor and Social Affairs-funded poverty-mitigation program for families with children recorded in the Family Poverty Assessment System. Families receive a monthly payment based on their financial situation, the number of children in the family, and the geographical location of their home.(41)
UNICEF Country Program for 2016–2020*	Improve child protection systems, including through expanding programs for children in extreme poverty, improving social integration of children with disabilities, and developing a victim-witness protection system.(48)
Day Care Centers [†]	Government-supported day care centers that provide alternatives to working children and daytime centers that provide services for children with special needs.(39)
Shelter for Victims of Human Trafficking [†]	Government shelter co-funded and run by the United Methodist Committee on Relief-Armenia that provides medical, psychological, social, and legal services to victims of human trafficking; access to education for children; and vocational training for adult victims.(16)

* Program was launched during the reporting period.

[†] Program is funded by the Government of Armenia.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(41, 49, 50)

Although the Government of Armenia has implemented programs to address child labor, research found no evidence that it has carried out programs to assist children engaged in child labor in street work or in agriculture.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Armenia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that Armenian law specifies the types of light work acceptable for children age 14-15.	2014 – 2016
	Facilitate enforcement of labor law by codifying a definition of forced labor.	2016

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Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that the legal framework on inspections clearly empowers the SHI to monitor, inspect, and enforce child labor laws through quality inspections, including targeted, complaint-based, and unannounced inspections; and that data on the number and type of inspections, violations, and penalties are made publicly available.	2014 – 2016
	Address deficiencies in the SHI’s labor inspection resources, including by increasing the number of labor inspectors; increasing the funding and resources available to the SHI; and ensuring that all inspectors receive an adequate amount of training.	2014 – 2016
	Make information on the SHI’s funding publicly available.	2015 – 2016
	Ensure that penalties for child labor violations are sufficient to serve as a deterrent.	2014 – 2016
	Protect children by providing law enforcement officials with specialized training on interviewing child victims of crime, and by ensuring that law enforcement officials coordinate with social service providers during investigations.	2014 – 2016
	Implement and adequately fund a victim-witness protection mechanism for criminal proceedings.	2011 – 2016
	Coordination	Establish coordinating mechanisms to combat child labor, including all its worst forms.
Government Policies	Integrate child labor elimination and prevention strategies into national policies, including the Strategic Program for the Protection of Children’s Rights and the UNDAF Plan for Armenia.	2011 – 2016
	Take steps to implement the Concept on Combating Violence Against Children.	2016
Social Programs	Ensure that all children, including children from low-income families and those belonging to ethnic minorities, have equal access to education.	2010 – 2016
	Increase efforts to prevent institutionalization of children and to ensure the safety and well-being of children currently residing in government institutions.	2015 – 2016
	Ensure that mainstream education is accessible to children with special education needs and children with disabilities by improving the accessibility of the physical infrastructure, expanding community-based support services, and ensuring that social stigmas against disabilities do not prevent children from accessing schools.	2014 – 2016
	Implement programs to address child labor in street work and in agriculture.	2009 – 2016

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Azerbaijan

MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE DELAYED ADVANCEMENT

In 2016, Azerbaijan made a minimal advancement in efforts to eliminate the worst forms of child labor. Despite new initiatives to address child labor, Azerbaijan is receiving this assessment because it implemented a regression in practice that delayed advancement in eliminating the worst forms of child labor. In 2016, the Government suspended all labor inspections not based on a formal complaint, imposing a moratorium on inspections during the reporting period. Otherwise, the Government made efforts by providing training for labor inspectors and continuing a cash transfer program for vulnerable families. Children in Azerbaijan perform dangerous tasks in street work, and also engage in the worst forms of child labor, including in commercial sexual exploitation. Legal protections for workers only apply to workers with written employment contracts, leaving self-employed children and children working outside of formal employment relationships vulnerable to exploitation. The labor inspectorate lacks sufficient personnel and resources to effectively enforce labor laws. In addition, research found limited evidence of government programs to address child labor in agriculture and street work, the sectors in which it is most prevalent.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Azerbaijan perform dangerous tasks in street work.(1-8) Children also engage in the worst forms of child labor, including in commercial sexual exploitation.(2, 9-13) Table 1 provides key indicators on children’s work and education in Azerbaijan.

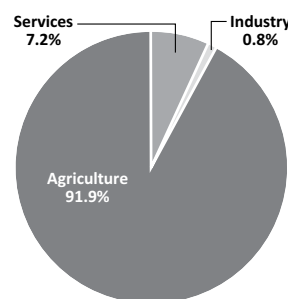
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.5 (70,034)
Attending School (%)	5 to 14	94.3
Combining Work and School (%)	7 to 14	4.9
Primary Completion Rate (%)		103.3

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(14)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Child Labor Survey (SIMPOC), 2005.(15)

Figure 1. Working Children by Sector, Ages 7-14



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of cotton, tea, and tobacco [†] (1, 3-6, 11, 16)
Industry	Construction, activities unknown (3, 5, 17)
Services	Street work, including begging, washing cars, and vending (1-8) Washing cars at commercial car washes (17)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (2, 8, 9, 11-13) Forced begging (8, 12, 13)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Children in Azerbaijan are trafficked for commercial sexual exploitation both domestically and transnationally. Street children, many of whom become homeless after they are released from government-run orphanages and correctional facilities, are particularly vulnerable to human trafficking.⁽⁹⁾ Children living in border towns and economically depressed rural communities are also particularly vulnerable to human trafficking.⁽¹⁸⁾

Although Article 5 of the Education Law guarantees free universal education, children with disabilities face difficulty accessing mainstream education. Barriers to education include inaccessibility of the physical infrastructure of schools, and a general social stigma against individuals with disabilities.^(8, 13) As a result of these barriers, only an estimated 10 to 17 percent of children with disabilities are able to attend school. The remaining children are either educated at home or do not receive an education.^(8, 13)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Azerbaijan has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Azerbaijan's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	15	Article 42 of the Labor Code (19)
Minimum Age for Hazardous Work	Yes	18	Article 250 of the Labor Code (19)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 98 and 250–254 of the Labor Code; Decision 58 of the Cabinet of Ministers in 2000; Article 9 of the Law on the Rights of the Child (19-21)
Prohibition of Forced Labor	Yes		Article 35 of the Constitution; Article 144-2 of the Criminal Code (22, 23)
Prohibition of Child Trafficking	Yes		The Law on Trafficking in Persons; Articles 106, 144-1, 144-3, and 173 of the Criminal Code (24)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 108, 151, 152, 171, 171-1, and 242–244 of the Criminal Code (24)
Prohibition of Using Children in Illicit Activities	Yes		Article 28 of the Law on the Rights of the Child; Article 170 of the Criminal Code (24)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Articles 2, 3, and 12 of the Law on Military Obligation and Military Service (25)
State Voluntary	Yes	19	Article 36 of the Law on Military Obligation and Military Service (25, 26)
Non-state Compulsory	No		
Compulsory Education Age	Yes	15	Articles 5 and 19 of the Education Law (27, 28)

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Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Free Public Education	Yes		Article 5 of the Education Law; Article 22 of the Law on the Rights of the Child (21, 27)

According to Articles 2 and 3 of the Labor Code, the Labor Code applies only to workers with written employment contracts.(19) As a result, the law's minimum age protections do not apply to children working outside formal employment relationships or children who are self-employed.(29) The Government introduced both administrative and criminal penalties in 2014 for employing people without an effective employment agreement.(11) Although this has strengthened protections for working children by attempting to ensure that all working children work under a contract, self-employed children and children working outside formal employment relationships remain unprotected.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Protection of Population (MLSP)	Enforce labor laws related to the worst forms of child labor through the State Labor Inspection Service (SLIS).(30)
Ministry of Internal Affairs (MIA)	Function as the central executive agency responsible for public security and prevention of criminal offences, including child trafficking and begging.(3) Through the Anti-Trafficking Division (ATD), enforce human trafficking laws, investigate human trafficking violations, and enforce criminal laws related to the use of children in illicit activities. Refer children who are victims of human trafficking to social services for assistance with school enrollment, participation in recreational activities, and obtaining proper documentation.(10)
Commission on Juvenile Issues and Protection of Minors' Rights	Coordinate the enforcement of laws related to the worst forms of child labor. Located in the Cabinet of Ministers.(30)
National Referral Mechanism for Trafficking in Persons (NRM)	Refer victims of human trafficking to the relevant authorities to ensure the protection of their rights.(31) Refer human trafficking cases to the ATD for prosecution. Led by the National Coordinator and the Deputy-Minister of the MIA and counts a large number of government agencies as members, including the MLSP and the State Committee on Family, Women and Children's Affairs (SCFWCA).(12)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Azerbaijan took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (32)	Unknown (8)
Number of Labor Inspectors	214 (32)	267 (8)
Inspectorate Authorized to Assess Penalties	Yes (17)	Yes (8)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (18)	Yes (8)
Training on New Laws Related to Child Labor	Yes (32)	N/A
Refresher Courses Provided	Yes (32)	Yes (8)
Number of Labor Inspections	11,189 (32)	Unknown (8)
Number Conducted at Worksite	1,218 (32)	2 (8)
Number Conducted by Desk Reviews	9,971 (32)	Unknown (8)
Number of Child Labor Violations Found	5 (32)	2 (8, 33)
Number of Child Labor Violations for Which Penalties Were Imposed	4 (32)	2 (8)
Number of Penalties Imposed That Were Collected	4 (32)	2 (8)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Routine Inspections Conducted	Yes (32)	No (8)
Routine Inspections Targeted	No (32)	No (8)
Unannounced Inspections Permitted	Yes (32)	Yes (8)
Unannounced Inspections Conducted	Yes (32)	No (8)
Complaint Mechanism Exists	Yes (32)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (32)	No (8)

The State Labor Inspection Service (SLIS) reports that all inspectors receive training on identification of trafficking victims and situations of labor exploitation.(18) The head of the SLIS reports that the number of inspectors was insufficient to fully enforce child labor laws in Azerbaijan.(8)

Under the National Action Plan on Combating Trafficking in Human Beings, regional representatives of the SLIS, along with criminal law enforcement professionals, received training on preventing and raising awareness about child labor issues, including information on national legislation and international conventions.(34) Limited evidence suggests that inspectors may not be adequately trained on child labor issues, including hazardous child labor.(11)

In 2016, the Government suspended all labor routine and unannounced inspections, although the inspectorate may still visit a workplace upon receipt of a formal, written complaint. This practice, which was instituted to reduce opportunities for rent-seeking among inspectors, is in effect through October 2017.(8) While inspections may still occur if a complaint is filed, no inspections appear to have been conducted in 2016. The SLIS learned of two child labor violation through written complaints and issued fines of approximately \$550.(8)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Azerbaijan took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown (8)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (32)	Yes (35)
Number of Investigations	Unknown	Unknown (8)
Number of Violations Found	1 (32)	240 (8)
Number of Prosecutions Initiated	Unknown	Unknown (8)
Number of Convictions	Unknown	Unknown (8)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (18)	Yes (8)

Although the National Referral Mechanism for Trafficking in Persons (NRM) exists to refer victims of human trafficking, including child trafficking, to the relevant government agencies, research found that the NRM's efficacy suffers from a lack of interagency cooperation and an absence of standard operating procedures for referring victims. In addition, NGOs report that human trafficking victims referred to the NRM by NGOs were not officially recognized as victims by the Government and consequently did not receive government services.(8, 32) Criminal law enforcement personnel identified more than 500 children being exploited in street work, including potential victims of forced begging, during the course of more than 2,000 operations conducted in 2016.(34) However, NGOs report that children were not referred to social services and resumed work almost immediately after being identified by law enforcement officials.(8)

In 2016, the Government reported that it had created a database to collect information on crimes against children, including child trafficking, street work, and begging, but did not make the data collected publicly available or provide further information on the database itself.(8)

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IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established the State Committee on Family, Women and Children's Affairs, research found no evidence of mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
State Committee on Family, Women and Children's Affairs (SCFWCA)	Serve as the primary central executive body responsible for implementing child-related policies.(3) Create and maintain an interagency case management database on child rights.(36)

Research found that both the National Steering Committee on Child Labor and the Control-Coordination Group, which previously tracked absenteeism among children, had ceased functioning prior to the start of the reporting period.(8)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan on Combating Trafficking in Human Beings (NAP) (2014–2018)	Aims to identify and combat the causes of vulnerability to human trafficking in Azerbaijan through improved coordination among the government agencies, NGOs, and intergovernmental organizations. Also seeks to improve the identification and provision of services to victims.(37) Places special emphasis on protecting the rights of child victims and preventing child trafficking.(18, 37) In 2016, conducted four trainings on preventing child labor for SLIS and MIA officials.(8)

Although the Government of Azerbaijan has adopted the National Action Plan on Combating Trafficking in Human Beings (NAP), research found no evidence of a policy on other worst forms of child labor, including forced begging and hazardous child labor in agriculture. In addition, the NAP addresses many prior international recommendations, but lacks clear indicators of the source and amount of funding. As a result, the NAP lacks the funding necessary for full implementation of associated programs.(18)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
USDOL-Funded Projects	USDOL-funded projects supporting the elimination of child labor in Azerbaijan include Global Action Program on Child Labor Issues (GAP), implemented in approximately 40 countries by the ILO; and Global Research on Child Labor Measurement and Policy Development (MAP), implemented by the ILO in 11 countries.(38, 39) For additional information about USDOL's work, please visit our Web site.
Decent Work Country Program (2016–2020)	Aims to promote decent employment opportunities and improve social protection and labor administration mechanisms. Includes a focus on youth employment.(40)
SCFWCA Child Labor Research	In 2016, conducted research in four regions of Azerbaijan on child labor, with a focus on markets, car repair shops, cafes, and restaurants. Children found in child labor situations were removed from work.(34)
Centers for Vulnerable Children†	Government-funded program comprising 13 centers that provide social services to vulnerable children, including street children.(41) NGOs reported that the centers are effective in providing services and may contribute to a reduction in child labor.(11)
Resources for Child Trafficking Victims†	The Government maintains several shelters for human trafficking victims, including the MLSPP-run Victim Assistance Center, the MIA-run Baku Shelter, and the State Migration Service-run Reception center.(42) In addition, the Government maintains the Program of Social Rehabilitation and Social Reintegration of Child Victims of Trafficking to assist with the social reintegration of child trafficking victims.(43, 44)
Targeted Social Assistance Program†	MLSPP-run program that provides cash transfers to low-income families.(42, 45)
MIA Identification Document Program†	Provides identification documents to undocumented minors who may be street children or victims of human trafficking.(11)

† Program is funded by the Government of Azerbaijan.

Although the Government has implemented programs to address child trafficking, research found little evidence to indicate it has carried out programs to assist children working in agriculture or on the street.

NGO-run shelters that are tasked by the NAP with providing victim services do not receive consistent funding from the Government. Directors of these shelters note that the unpredictable nature of funding prevents long-term planning and capacity building of shelters.(32, 35) Child victims are usually referred to the Azerbaijan Children’s Union shelter, where they have access to specialized care.(35) This shelter does not receive consistent government funding and noted that most of its staff worked on a voluntary basis due to the lack of government funding and an inability to receive foreign assistance caused by the restrictions imposed on NGOs over the last 2 years.(32)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Azerbaijan (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all children are protected by law, including children working without a written employment agreement or outside of a formal employment relationship and children who are self-employed.	2011 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
Enforcement	Resume regular labor inspections to ensure child labor laws are enforced.	2016
	Increase the number of labor inspectors to facilitate effective enforcement of child labor laws.	2016
	Ensure that labor inspectors receive sufficient training on the enforcement of laws pertaining to child labor.	2014 – 2016
	Make complete data on the funding of the inspectorate publicly available.	2015 – 2016
	Make publicly available complete data on the number of investigations, prosecutions, and convictions related to criminal laws on the worst forms of child labor.	2014 – 2016
	Improve interagency cooperation to ensure that the NRM functions adequately and provides needed services to all victims of child trafficking, including to victims identified and referred by NGOs.	2014 – 2016
Coordination	Establish coordinating mechanisms to combat child labor, including its worst forms.	2016
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as forced begging and hazardous work in agriculture.	2016
	Ensure the National Action Plan on Combating Trafficking in Human Beings receives the funding necessary for full implementation of associated programs.	2014 – 2016
Social Programs	Ensure that children with disabilities have equal access to education.	2016
	Conduct research to determine the extent of children’s continued involvement in the production of commercial agricultural goods, and to determine specific activities related to children’s work in construction in order to inform policies and programs.	2013 – 2016
	Institute programs to address child labor in agriculture and on the streets.	2009 – 2016
	Ensure that NGO-run shelters for victims of human trafficking are sufficiently and consistently funded to provide services to victims effectively, as dictated by the NAP and NRM.	2015 – 2016

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In 2016, Bahrain made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government shared labor and criminal law enforcement data, as well as information regarding the coordination activities of the Child Protection Center. In addition, the Labor Market Regulatory Authority posted inspectors at the airport to prevent migrant children from working in domestic service, mandated using only the recruitment agencies that have been vetted by the Government, and more than doubled the number of labor inspectors. Although the problem does not appear to be widespread, children in Bahrain engage in the worst forms of child labor, including in commercial sexual exploitation. The Government has not conducted research to determine the nature and extent of the worst forms of child labor in the country, and it also lacks a policy to address the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although the problem does not appear to be widespread, children in Bahrain engage in the worst forms of child labor, including in commercial sexual exploitation.⁽¹⁾ Data on key indicators on children's work and education are not available from the sources used in this report (Table 1).

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (%)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2016.⁽²⁾

Data were unavailable from Understanding Children's Work Project's analysis, 2016.⁽³⁾

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Services	Selling products on the street (1) Domestic work (1, 4)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation (1)

[‡] Child labor understood as the worst forms of child labor per se under Article 3(a)–(c) of ILO C. 182.

The Government of Bahrain has not conducted or participated in research to determine the extent to which children are engaged in child labor, including its worst forms.⁽⁵⁾

In Bahrain, citizenship is derived from the father. As a result, children of Bahraini mothers and non-Bahraini fathers may be stateless.⁽⁶⁾ In a limited number of cases, stateless children who lack legal documents, such as birth certificates, have been prevented from enrolling in schools.^(7, 8)




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II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Bahrain has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Bahrain's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	15	Article 24 of the Labor Law (9)
Minimum Age for Hazardous Work	Yes	18	Article 27 of the Labor Law (9)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 1 and 2 of Ministerial Order No. 23 of 2013 (10)
Prohibition of Forced Labor	Yes		Article 1 of the Law on Combating Trafficking in Persons (11)
Prohibition of Child Trafficking	No		Article 1 of the Law on Combating Trafficking in Persons (11)
Prohibition of Commercial Sexual Exploitation of Children	No		Article 1 of the Law on Combating Trafficking in Persons; Article 39 of the Child Law (11, 12)
Prohibition of Using Children in Illicit Activities	Yes		Articles 59 and 68 of the Child Law; Article 30 of the Law on Hallucinogenic Substances and Drugs (12, 13)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 24 of the Defense Force Act (14)
Non-state Compulsory	Yes		Article 59 of the Child Law; Article 113 of the Penal Code (12, 15)
Compulsory Education Age	Yes	15	Article 1 of the Education Act (16)
Free Public Education	Yes		Article 7 of the Education Act (16)

* No conscription (14)

The minimum age protection in the Labor Law does not apply to children in certain sectors, such as domestic work in third-party homes.⁽⁹⁾ Laws related to child trafficking are not sufficient as trafficking for the purposes of child commercial sexual exploitation is not criminally prohibited.

The law does not sufficiently prohibit commercial sexual exploitation, as the use of children for prostitution, and the offering, procuring, and use of children for production of pornography and pornographic performances are not criminally prohibited.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Development	Enforce child labor laws, along with the Labor Market Regulatory Authority. Take the lead role in initial mediation to resolve violations of the Labor Law.(1) Refer violations that are not resolved through mediation to the Public Prosecutor's Office. Maintain a hotline to receive criminal complaints of child labor, including its worst forms.(1)
Labor Market Regulatory Authority	Issue work visas to ensure that individuals coming to Bahrain as migrant workers are at least age 18.(5) Enforce the Law on Combating Trafficking in Persons.(1) Maintain a hotline to assist migrant workers.(17)
Police Department of the Ministry of Interior	Enforce criminal laws that prohibit the worst forms of child labor. Oversee the 12-person Criminal Investigations Directorate that investigates potential cases of human trafficking and commercial sexual exploitation.(18) Refer any identified child victims of human trafficking or illicit activities to the Center for Child Protection.(5) Maintain a hotline to receive criminal complaints of child trafficking.(19)
Public Prosecutor's Office	Prosecute crimes related to child labor and human trafficking.(20)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Bahrain took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	33 (5)	70 (4)
Inspectorate Authorized to Assess Penalties	Yes (21)	Yes (4)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (1)	Yes (4)
Number of Labor Inspections	Unknown (1)	8,212‡ (4)
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	Unknown (1)	0 (4)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (1)	N/A
Number of Penalties Imposed That Were Collected	Unknown (1)	N/A
Routine Inspections Conducted	Unknown	Yes (4)
Routine Inspections Targeted	Unknown	Yes (4)
Unannounced Inspections Permitted	Yes (22)	Yes (4)
Unannounced Inspections Conducted	Unknown	Yes (4)
Complaint Mechanism Exists	Yes (19)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Yes (4)

‡ Data are from January 1, 2016, to October 30, 2016.(4)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Bahrain took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	N/A
Refresher Courses Provided	Yes (1)	Yes (4)
Number of Investigations	Unknown (1)	1 (4)
Number of Violations Found	Unknown	0 (4)

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Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor (cont)

Overview of Criminal Law Enforcement	2015	2016
Number of Prosecutions Initiated	Unknown (1)	0 (4)
Number of Convictions	Unknown (1)	N/A
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Yes (5)

In 2016, the Labor Market Regulatory Authority employed 70 inspectors to conduct 15,000 to 17,000 inspections to ensure compliance with laws, including the Law on Combating Trafficking in Persons. No cases of worst forms of child labor were detected in the reporting period.(4)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Child Protection Center	Meet weekly and coordinate efforts of five government ministries to address cases of child abuse, including child trafficking and commercial sexual exploitation. Led by the Ministry of Labor and Social Development.(4)
National Committee on Combating Trafficking in Persons	Coordinate policies and laws to combat human trafficking and organize educational and outreach campaigns to raise awareness on trafficking in persons.(23) Led by the Labor Market Regulatory Authority; other members include representatives from eight state entities, plus NGOs.(1)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

Research found no evidence that the Government has established policies to address child labor, including its worst forms.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government of Bahrain funded programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 9).

Table 9. Key Social Programs to Address Child Labor

Program	Description
Child Protection Center†	In charge of coordination; also provides services, including educational and psychological services and, in extreme cases, placement in foster care.(24)

† Program is funded by the Government of Bahrain.

The Labor Market Regulatory Authority has detected isolated cases of children entering Bahrain with falsified documents to work as domestic workers. In response, this agency posted inspectors at the Bahrain airport to monitor migrant workers and prevent suspected cases of child recruitment.(4) It also mandated using 1 of the 120 preferred recruitment agencies to ensure compliance with laws and regulations.(4, 25)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Bahrain (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law's minimum age provisions do not exclude children in certain sectors, including in domestic work.	2014 – 2016
	Ensure that child trafficking laws criminally prohibit the trafficking of children for the purpose of commercial sexual exploitation.	2016
	Ensure that laws criminally prohibit all aspects of commercial sexual exploitation of children.	2016

Table 10. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish data on the labor inspectorate funding, the initial training for new inspectors, and the number of inspections conducted at worksites.	2009 – 2016
	Publish data on the initial training for new criminal investigators.	2013 – 2016
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as commercial sexual exploitation.	2009 – 2016
Social Programs	Conduct a comprehensive study of children's activities to determine the extent to which children may be engaged in or at risk for involvement in child labor, including its worst forms.	2009 – 2016
	Ensure universal access to education, particularly for stateless children.	2010 – 2016

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Bangladesh

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In 2016, Bangladesh made a minimal advancement in efforts to eliminate the worst forms of child labor. The Education Act of 2016, which makes education compulsory through eighth grade (age 14), was drafted and endorsed by the Prime Minister's cabinet but has not yet been adopted by Parliament. However, children in Bangladesh perform dangerous tasks in garment production. Children also engage in the worst forms of child labor, including forced child labor in the production of dried fish and bricks. The labor law does not prohibit children from working in informal economic sectors, including in domestic work, on the streets, and in small-scale agriculture. The law also does not specify the activities and number of hours per week of light work that are permitted for children ages 12 and 13. In addition, the number of labor inspectors is insufficient for the size of Bangladesh's workforce, and fines are inadequate to deter child labor law violations.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Bangladesh perform dangerous tasks in garment production. Children also engage in the worst forms of child labor, including forced child labor in the production of dried fish and bricks. (1-3) Table 1 provides key indicators on children's work and education in Bangladesh.

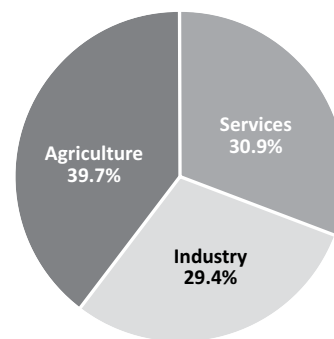
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.3 (1,326,411)
Attending School (%)	5 to 14	89.4
Combining Work and School (%)	7 to 14	1.9
Primary Completion Rate (%)		98.5

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Labour Force Survey, 2013.(5)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including harvesting and processing crops, including tobacco, raising poultry, grazing cattle, gathering honey, and harvesting tea leaves (6-10)
	Drying and processing fish (7, 8, 10)
	Harvesting and processing shrimp (11-13)
Industry	Quarrying and mining, including salt† (8, 14)
	Producing garments, textiles (jute), leather,† footwear,† and imitation jewelry† (1, 7, 15-23)
	Manufacturing bricks,† glass,† hand-rolled cigarettes (<i>bidis</i>),† matches,† soap,† furniture (steel),† aluminum products,† metal utensils, plastic products,† and melamine products (7, 8, 18, 24-29)
	Ship breaking† (13, 30, 31)
	Carpentry, welding,† construction,† and breaking bricks† and stones† (1, 8, 13, 32, 33)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Services	Domestic work (1, 34-36)
	Working in transportation, pulling rickshaws, and street work, including garbage picking, recycling, † vending, begging, shoe repairing, and portering (1, 8, 10, 13, 14, 37)
	Working in hotels, restaurants, bakeries, † and retail and grocery shops (1, 8, 10, 14, 18, 32)
	Repairing automobiles† (10, 14, 32)
Categorical Worst Forms of Child Labor‡	Forced labor in the drying of fish and the production of bricks (2, 3, 7, 28, 38)
	Forced begging (3, 10)
	Use in illicit activities, including smuggling and selling drugs (7, 10, 39)
	Commercial sexual exploitation, sometimes as a result of human trafficking (3, 40, 41)
	Forced domestic work (3, 7, 10, 42)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.




‡ Child labor understood as the worst forms of child labor per se under Article 3(a)–(c) of ILO C. 182.

According to the National Education Policy, education is free and compulsory in Bangladesh through eighth grade (age 14). However, several factors contribute to children not attending school, such as inadequate access to water and sanitation facilities and the costs associated with education, including books and uniforms.(8, 43)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Bangladesh has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Bangladesh’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	14	Section 34 of the Bangladesh Labor Act (44)
Minimum Age for Hazardous Work	Yes	18	Sections 39–42 of the Bangladesh Labor Act (44)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Sections 39–42 of the Bangladesh Labor Act; Statutory Regulatory Order Number 65 (44, 45)
Prohibition of Forced Labor	Yes		Sections 370 and 374 of the Penal Code; Sections 3, 6, and 9 of the Prevention and Suppression of Human Trafficking Act (46, 47)
Prohibition of Child Trafficking	Yes		Sections 3 and 6 of the Prevention and Suppression of Human Trafficking Act; Section 6 of the Suppression of Violence Against Women and Children Act (47, 48)

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Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 372 and 373 of the Penal Code; Sections 78 and 80 of the Children’s Act; Sections 3 and 6 of the Prevention and Suppression of Human Trafficking Act; Section 8 of the Pornography Control Act (46, 47, 49, 50)
Prohibition of Using Children in Illicit Activities	No		Section 79 of the Children’s Act (49)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	16, 17	Air Force and Army regulation titles unknown (51, 52)
Non-state Compulsory	No		
Compulsory Education Age	No	11	Section 2 of the Primary Education (Compulsory) Act (53)
Free Public Education	Yes		Article 17 of the Constitution (54)

* No conscription (55)

In 2016, the Education Act was drafted and endorsed by the Prime Minister’s cabinet. After it is adopted by Parliament, this law will make education compulsory through eighth grade (age 14) and bring Bangladesh into compliance with international standards.(43) The 2010 National Education Policy raised the age of compulsory education from fifth grade (age 10) through eighth grade (age 14); however, until the legal framework is amended to reflect the new compulsory education age, the policy is not enforceable.(13, 56)

The Bangladesh Labor Act does not cover the informal economic sectors in which child labor is most prevalent, including domestic work, street work, and work on small agricultural farms with fewer than five employees.(44, 57, 58) Also, the types of hazardous work prohibited for children do not cover garment production and fish drying; both are areas of work in which there is evidence that children work in unsafe and unhealthy environments for long periods of time.(45)

Although the labor law stipulates that children older than 12 may engage in light work that does not endanger their health or interfere with their education, the law does not specify the activities or the number of hours per week that light work is permitted.(44)

In addition, the use of children in pornographic performances is not criminally prohibited.(47, 59) The use of children in the production of drugs is also not criminally prohibited.(49) The legal framework also does not prohibit the recruitment of children by non-state armed groups.(60)

Research did not uncover a public version of the military regulations that set the minimum age for voluntary military recruitment.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Inspection for Factories and Establishments	Enforce labor laws, including those relating to child labor and hazardous child labor.(61)
Bangladesh Police	Enforce Penal Code provisions protecting children from forced labor and commercial sexual exploitation. (57, 62) In the case of the Trafficking in Persons (TIP) Monitoring Cell, investigate cases of human trafficking and enforce anti-trafficking provisions of the Prevention and Suppression of Human Trafficking Act.(63)
Bangladesh Labor Court	Prosecute labor law violations, including those related to child labor, and impose fines or sanctions against employers.(64)

Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Child Protection Networks	Respond to violations against children, including child labor. Comprises officials from various agencies with mandates to protect children, prosecute violations, monitor interventions, and develop referral mechanisms at the district and sub-district levels between law enforcement and social welfare services.(10)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Bangladesh took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$4.1 million (7)	\$3.9 million (61)
Number of Labor Inspectors	284 (7)	267 (61)
Inspectorate Authorized to Assess Penalties	No (64)	No
Training for Labor Inspectors		
Initial Training for New Employees	Yes (7)	Yes (65)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (7)	Yes (65)
Number of Labor Inspections	31,836 (59)	30,421 (61)
Number Conducted at Worksite	31,836 (59)	30,421 (61)
Number Conducted by Desk Reviews	Unknown	Unknown (61)
Number of Child Labor Violations Found	46 (61)	45 (61)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (64)	0 (61)
Number of Penalties Imposed That Were Collected	Unknown (64)	0 (61)
Routine Inspections Conducted	Yes (7)	Yes (61)
Routine Inspections Targeted	Yes (7)	Yes (61)
Unannounced Inspections Permitted	Yes (7)	Yes (61)
Unannounced Inspections Conducted	Yes (7)	Yes (65)
Complaint Mechanism Exists	Yes (65)	Yes (61)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (65)	No (61)

The number of labor inspectors is insufficient for the size of Bangladesh's workforce, which includes more than 83 million workers. According to the ILO recommendation of 1 inspector for every 40,000 workers in less developed economies, Bangladesh should employ 2,090 inspectors.(66-68) Reports indicate that inspections rarely occur at unregistered factories and establishments, where children are more likely to be employed.(11, 43, 69)

In addition, the penalty of a \$62 fine for a child labor law violation is an insufficient deterrent.(70, 71) According to the Ministry of Labor and Employment, information on penalties imposed and fines collected resides with the labor courts.(64) Although research did not reveal information about penalties for cases in 2015, the Government reported that the cases in 2016 are under trial, and penalties have not yet been imposed.(61)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Bangladesh took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (72)	Yes (73)

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Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor (cont)

Overview of Criminal Law Enforcement	2015	2016
Number of Investigations	Unknown	Unknown
Number of Violations Found	178 (74)	5 (73)
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (63)	Yes (63)

The Government reported that in 2016 it initiated investigations for 168 cases related to forced labor and 122 cases related to sex trafficking. Five children were identified as human trafficking victims, but the nature of the crimes was not provided.(73) The Government also reported that two child trafficking victims were rescued, repatriated, and rehabilitated.(73) However, the TIP Monitoring Cell reportedly lacked the necessary funds and staff to sufficiently address cases of child trafficking.(75) In addition, there is a report that the Child Protection Networks are not operating 2 years after their launch due to a lack of funds.(76)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	
National Child Labor Welfare Council	Coordinate efforts undertaken by various government agencies to eliminate child labor and assess and provide advice on the implementation of the National Child Labor Elimination Policy. Chaired by the Ministry of Labor and Employment, comprises officials representing relevant government ministries, international organizations, child advocacy groups, and employer and worker organizations.(77) Two divisional level councils met for the first time in January 2016.(7)
Counter-Trafficking National Coordination Committee, Ministry of Home Affairs (MHA)	Coordinate the work of government agencies and international and local NGOs on international and domestic human trafficking, including child trafficking, through bimonthly meetings.(63) Oversee district counter-trafficking committees, which manage counter-trafficking committees for sub-districts and smaller administrative units.(63, 78, 79)
Rescue, Recovery, Repatriation, and Integration Task Force, MHA	Coordinate Bangladesh and India efforts to rescue, recover, repatriate, and reintegrate victims of human trafficking, particularly children. Liaise with various ministries, government departments, NGOs, and international organizations that assist trafficked children.(79, 80)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor†

Policy	Description
Child Labor National Plan of Action (2012–2016)	Identified strategies for developing institutional capacity, increasing access to education and health services, raising social awareness, strengthening law enforcement, and creating prevention and reintegration programs.(81)
Domestic Workers Protection and Welfare Policy	Sets the minimum age for domestic work at 14 years; however, children between ages 12 and 13 can work as domestic workers with parental permission.(82) However, is not legally enforceable.(59)
National Plan of Action to Combat Human Trafficking (2015–2017)	Establishes goals to meet international standards and best practices for anti-human-trafficking initiatives, including prevention of human trafficking; protection and legal justice for victims of human trafficking; development of advocacy networks; and establishment of an effective monitoring, evaluation, and reporting mechanism.(63)
National Education Policy	Specifies the Government’s education policy, including pre-primary, primary, secondary, vocational and technical, higher, and non-formal education policies. Sets the compulsory age for free education through eighth grade (age 14).(56)
Seventh Five Year Plan (2016–2020)	Includes the elimination of the worst forms of child labor, with a focus on child domestic workers and other vulnerable groups. Sets out actions to be taken by the Government, including forming a policy for children working in the formal sector, providing assistance to street children to protect them from exploitation, coordinating the Government and other stakeholders for effective rehabilitation, increasing working children’s access to formal and non-formal learning, and providing livelihood support to poor households with children. Approved in 2015 and launched in 2016.(83)

† The Government had other policies that may have addressed child labor issues or had an impact on child labor.(84, 85)

The Government has not included child labor elimination and prevention strategies into the National Education Policy.(56)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor†

Program	Description
Urban Social Protection Initiative to Reach the Unreachable and Invisible and Ending Child Labor (2012–2016)	UNICEF, the Ministry of Social Work (MSW), and the Ministry of Women and Children’s Affairs (MWCA) 5-year project that provided conditional cash transfers and employment training, outreach and referral services, and social protection services for 500,000 children and 30,000 adolescents.(13, 86)
Country Level Engagement and Assistance to Reduce (CLEAR) Child Labor Project	USDOL-funded, capacity-building project implemented by the ILO in 11 countries to build the capacity of local and national governments to address child labor.(87) In 2016, a draft report on the legal review of child labor-related laws and policies was prepared by the National Human Rights Commission.(87) Additional information is available on the USDOL Web site.
Reaching Out of School Children II (2012–2017)	\$130 million World Bank-funded, 6-year program that provides out-of-school children with non-formal education, school stipends, free books, and school uniforms. Helps students attend learning centers called Ananda Schools until the students are ready to join mainstream secondary schools.(88) As of June 2016, has provided education to 690,000 poor children in 20,400 learning centers.(89)
Child Sensitive Social Protection Project (2012–2016)	MSW program, funded by UNICEF, to reduce abuse, violence, and exploitation of children and youth by improving access to social protection services.(65) Provided conditional cash transfers of \$26 each month for 18 months to underprivileged children to prevent them from working in child labor.(42) Also includes a stipend program for out-of-school adolescents.(90)
Enabling Environment for Child Rights†	MWCA program, supported by UNICEF, that rehabilitates street children engaged in risky work by withdrawing them from child labor and enrolling them in school. Supports 16,000 children in 20 districts through cash transfers.(91, 92)
Child Help Line 1098†	MSW-implemented and UNICEF-supported 24-hour emergency telephone line. Connects children vulnerable to violence, abuse, and exploitation with social protection services.(93) In 2016, was expanded nationwide.(94)

† Program is funded by the Government of Bangladesh.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(7, 65)

Although the Government has implemented child protection and non-formal education programs, research found no evidence that it has carried out programs specifically designed to assist children working in the informal garment sector.(23)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Bangladesh (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2013 – 2016
	Ensure that the law’s minimum age protections apply to children working in the informal sector, including in domestic work, on the streets, and in small-scale agriculture.	2009 – 2016
	Ensure that the types of hazardous work prohibited for children are comprehensive, in particular by including garment production and fish drying.	2016
	Ensure that the law specifies the activities and the number of hours per week that children between ages 12 and 13 are permitted to perform light work.	2015 – 2016
	Ensure that the law criminally prohibits all offenses related to the sexual exploitation of children for pornographic performances.	2015 – 2016
	Ensure that the law criminally prohibits the use of children in illicit activities, particularly in the production of drugs.	2015 – 2016

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Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups	2016
	Ensure that the legal framework reflects the policy that education is compulsory through eighth grade and is consistent with the minimum age for work.	2012 – 2016
	Publish the military regulations that set the minimum age for voluntary military recruitment.	2016
Enforcement	Ensure effective enforcement of citations and penalties for labor law violations, including authorizing the inspectorate to assess penalties for child labor law violations and increasing penalties for child labor law violations to ensure an effective deterrent.	2014 – 2016
	Create referral mechanisms among relevant agencies to facilitate the provision of legal and social services to child laborers, including those engaged in the worst forms of child labor.	2013 – 2016
	Hire a sufficient number of labor inspectors for the size of the Bangladesh workforce.	2009 – 2016
	Ensure that labor inspections are conducted with sufficient frequency at unregistered factories and small businesses.	2013 – 2016
	Publish information relating to labor law enforcement, including the number of penalties that were issued and collected for child labor law violations.	2012 – 2016
	Publish information on the enforcement of laws on the worst forms of child labor, including the number of investigators, the number of investigations, the number of prosecutions, and the number of convictions.	2012 – 2016
	Provide police with sufficient resources to enforce violations involving human trafficking, forced labor, and the commercial sexual exploitation of children.	2014 – 2016
	Ensure that Child Protection Networks are adequately funded to provide a functional referral mechanism between law enforcement and social services.	2016
Government Policies	Integrate child labor elimination and prevention strategies into the National Education Policy.	2014 – 2016
Social Programs	Implement programs that seek to address inadequate access to water and sanitation facilities and prohibitive fees associated with education.	2013 – 2016
	Develop and implement programs to address child labor in the informal garment industry.	2016

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In 2016, Belize made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government secured its first trafficking conviction under the 2013 Anti-Trafficking Law and expanded a conditional cash transfer program to cover 400 vulnerable families. However, children in Belize perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Important gaps in the country's legal framework remain. The minimum age for work is 12, and the country lacks prohibitions against the use of children in illicit activities. In addition, the Government does not appear to have programs that aim to reduce child labor in agriculture, a sector in which child labor remains prevalent.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Belize perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking.(1, 2) Table 1 provides key indicators on children's work and education in Belize.

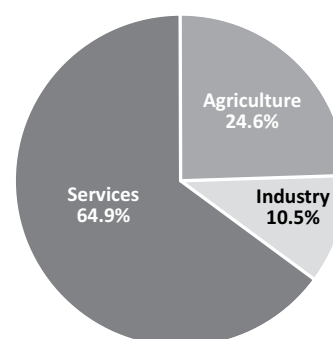
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	1.6 (1,405)
Attending School (%)	5 to 14	94.5
Combining Work and School (%)	7 to 14	1.2
Primary Completion Rate (%)		104.4

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(3)

Source for all other data: Understanding Children's Work Project's analysis of statistics from National Child Activity Survey (SIMPOC), 2013.(4)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of beans, bananas, citrus fruits, cereals, corn, rice, sugarcane, papayas, and vegetables (5-11)
	Fishing, including for fish, lobster, and conch (10)
	Butchering or livestock raising, including poultry and cattle (10)
Industry	Construction†, carpentry, masonry, wood carving (10)
	Quarrying†, including operating stone crushers (11)
Services	Street vending
	Retail vending (10)
	Yard work, including chopping, using lawnmowers and machetes (10, 12)
	Seamstressing (10)
	Working and cooking in food service, including wielding large mixers and grills (10)
	Auto repair† (10)
	Pumping gas (10)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2, 8, 9, 11, 13, 14)

† Determined by national law or regulation as hazardous, and as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.

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In Belize, approximately 9.5 percent of Mennonite children are engaged in child labor.(10, 12) The school system in Mennonite communities operates under a different cycle to allow children to work in family farms and businesses. (12) Mennonite children often use dangerous tools like machetes, tractors, and ploughs, and operate heavy-duty equipment at sawmills and stone crushers at quarries.(12) During March 2016, non-Mennonite children in northern Belize skipped school to work in Mennonite-owned bean fields to supplement their families' income.(12)




There were anecdotal reports of minors from neighboring countries being trafficked for commercial sexual exploitation.(12, 15, 16) Girls from impoverished communities and LGBTI children are particularly vulnerable to commercial sexual exploitation and labor trafficking in Belize.(15, 16) Children in Belize are increasingly being trafficked for commercial sexual exploitation in areas frequented by tourists or seasonal workers, such as truckers and citrus workers.(17, 18) In 2016, there were no official reports of children being used for pornography; however, several videos depicting people appearing to be children surfaced on social media in Belize.(12) Anecdotal reports also indicate that teenage boys ages 12 through 17 were recruited to transport and sell drugs in Belize City.(12)

While primary and secondary education is tuition-free in Belize, children's access to education is sometimes hindered by the cost of school fees, textbooks, uniforms, and meals.(19-21)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Belize has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Belize's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	12	Articles 54, 164, and 169 of the Labor Act; Articles 2–3 of the Shops Act (22, 23)
Minimum Age for Hazardous Work	No	14	Articles 2 and 7 of the Families and Children Act; Articles 2 and 164 of the Labor Act (22, 24)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 164 of the Labor Act.(22)
Prohibition of Forced Labor	Yes		Article 8 of the Constitution; Articles 157–158 of the Labor Act (22, 25)
Prohibition of Child Trafficking	Yes		Articles 11–14 of the Trafficking in Persons (Prohibition) Act; Article 9 of the Commercial Sexual Exploitation of Children (Prohibition) Act; Articles 49–51 of the Criminal Code (26-28)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 2, 11, and 13–14 of the Trafficking in Persons (Prohibition) Act Articles 2–9 of the Commercial Sexual Exploitation of Children (Prohibition) Act Articles 49–51 of the Criminal Code (26-28)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 16 of the Defence Act (29)
Non-state Compulsory	No		
Compulsory Education Age	Yes	14	Articles 2 and 59 of the Education and Training Act; Articles 2 and 34 of the Education Act (19, 30)
Free Public Education	Yes		Article 70 of the Education and Training Act; Article 45 of the Education Act (19, 30)

* No conscription (31)

Belizean law does not conform to international standards since it sets the minimum age for employment at 12 years old.(22, 32) However, the minimum legal age for work in wholesale or retail trade or business is 14.(23) Belizean law is also inconsistent with international standards on hazardous work. Children under age 14 are prohibited from working in industrial undertakings—including activities such as mining, manufacturing, and construction—but children over age 14 are explicitly permitted to work in those types of activities.(22) Though Belizean law indicates that children under age 18 are prohibited from being employed or engaged in any activity that may be detrimental to their health, education, or mental, physical, or moral development, the law does not specify which employment activities are detrimental to children.(22, 24) A list of hazardous work prohibited for all children has not been adopted as law.(18, 33)

The Commercial Sexual Exploitation of Children (Prohibition) Act and the Criminal Code prohibit all forms of child sexual exploitation, with the former explicitly prohibiting child pornography.(26, 27) However, consensual sex with a child age 16 or 17 is permitted, including in cases in which a person gives or promises remuneration, goods, food, or other benefits in exchange for the sexual act. This provision leaves these children vulnerable to the worst forms of child labor.(17, 18, 26) Research could not determine whether laws prohibit the use of children in specific illicit activities, including the production and trafficking of drugs.(32)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Local Government, and Rural Development	Identify cases and enforce laws related to child labor and hazardous child labor through its Labor Department.(5, 9, 11)
Ministry of Human Development and Social Transformation, Department of Human Services	Receive referrals for child labor cases; train immigration officials, labor inspectors, and the Belize Police Department (BPD) in making referrals; and handle human trafficking cases.(5, 8, 34) Provide victims with welfare services, including medical and social services and counseling assistance.(11, 35)
Belize Police Department (BPD)	Investigate cases of commercial sexual exploitation and human trafficking through Sexual Offense and Family Violence Units.(5, 6, 8)
Office of the Director of Public Prosecution	Prosecute criminal offenses, including cases of commercial sexual exploitation and human trafficking.(36)

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Labor Law Enforcement

In 2016, labor law enforcement agencies in Belize took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown* (11)	Unknown* (37)
Number of Labor Inspectors	24 (11)	25 (12)
Inspectorate Authorized to Assess Penalties	Unknown	Yes (38)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Yes (38)
Training on New Laws Related to Child Labor	N/A (11)	N/A (12)
Refresher Courses Provided	Yes (11)	Yes (38)
Number of Labor Inspections	Unknown* (11)	Unknown* (12)
Number Conducted at Worksite	Unknown* (11)	Unknown* (12)
Number Conducted by Desk Reviews	Unknown* (11)	0(12)
Number of Child Labor Violations Found	Unknown	0 (12)
Number of Child Violations for Which Penalties Were Imposed	Unknown	0 (12)
Number of Penalties Imposed That Were Collected	Unknown	0 (12)
Routine Inspections Conducted	Yes (9)	Yes (12)
Routine Inspections Targeted	Yes (9)	Yes (12)
Unannounced Inspections Permitted	Yes (9)	Yes (12)
Unannounced Inspections Conducted	Unknown	Yes (12)
Complaint Mechanism Exists	Yes (9)	Yes (12)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (12)

* The Government does not publish this information.

In 2016, the Labor Department employed 25 inspectors in 10 offices throughout the country.(11, 12) The budget allocated to the Labor Department for the reporting period was \$1,289,134, an increase from 2015.(11, 12) Reports indicate that labor inspections in rural and agricultural areas were hampered by a lack of resources, including vehicles and fuel.(9, 39) While the Labor Department is required to visit every business at least once a year, it usually falls short of this goal.(12) In 2016, due to a lack of staff and transportation, the Government was able to conduct less than 25 percent of its proposed inspections.(12)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Belize took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown (11)	Yes (12)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (11)	N/A (12)
Refresher Courses Provided	Yes (11)	Yes (38)
Number of Investigations	Unknown (11)	Unknown
Number of Violations Found	Unknown	0 (12)
Number of Prosecutions Initiated	0 (34)	0 (12)
Number of Convictions	0 (34)	2 (15, 16, 40)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (38)

In 2016, the Belizean judiciary secured the first conviction of child sex trafficking under the 2013 Anti-Trafficking Law, but the judge did not impose jail time.(15) Criminal investigators and police officers lacked sufficient resources—such as vehicles, fuel, office supplies, and adequate training—to effectively investigate violations of criminal law, including the worst forms of child labor.(12, 36)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Child Labor Committee	Coordinate efforts between ministries to combat child labor and implement the National Child Labor Policy. Led by the Ministry of Labor and 14 government and civil society members.(5, 6, 41) The Committee was dormant in 2016.(42)
Anti-Trafficking in Persons Council	Identify and rescue human trafficking victims, train law enforcement officials, and educate the public about the commercial sexual exploitation of children. Led by the Vice Minister of Human Development and Social Transformation; includes 12 other government agencies and civil society organizations.(2, 5, 6, 43)
National Committee for Families and Children (NCFC)	Promote, monitor, and evaluate Belize's compliance with its national and international commitments to children, including the UN CRC.(35) Met quarterly in 2016, and worked on the National Framework for Children and Adolescents (2017–2030).(42)

The National Child Labor Committee, the Government's lead agency responsible for implementing the National Child Labor Policy, did not convene in 2016.(12, 42) During the reporting period, the Anti-Trafficking in Persons Council partnered with two NGOs to train 422 teachers on identification of victims of human trafficking and commercial sexual exploitation, and explain their legal responsibility to report these cases.(16)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
National Child Labor Policy	Focuses on strengthening child labor laws, creating legislation to address existing gaps, and providing educational assistance to children who have been or who are currently engaged in child labor.(6, 44) Aims to strengthen government institutions and services and train labor officers.(6, 41, 44)
CARE Model	Coordinates the protection, care, and monitoring of sexually exploited and trafficked children. Outlines the role of the Department of Human Services and the BPD in receiving allegations of commercial sexual exploitation of children and referring children to services.(5, 43)

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(16, 45-47)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
Building Opportunities for Our Social Transformation Program (BOOST) (2011–2016) [†]	Conditional cash transfer initiative to reduce poverty, funded in part by the World Bank. Provides monetary incentives for families that comply with program requirements.(6, 48) Qualifying families must ensure that children ages 5 to 17 maintain an annual school attendance record of 85 percent.(5, 6, 49) In 2016, expanded to include approximately 400 families.(12)
USDOL-funded projects	<u>Global Action Program on Child Labor Issues Project (2011–2017)</u> , established by the Hague Global Child Labor Conference in 2010 and implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016, and <u>Country Level Engagement and Assistance to Reduce Child Labor (CLEAR II)</u> , launched in 2014, a \$7 million dollar capacity-building program to reduce child labor, including its worst forms, and implemented by Winrock International in six countries.(50) Additional information is available on the USDOL Web site .

[†] Program is funded by the Government of Belize.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(6, 8, 9, 51)

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Although the Government of Belize has a program to address the commercial sexual exploitation of children, research found no evidence that the Government has carried out programs to assist children working specifically in agriculture. The Government continues to face budgetary constraints for social programs that address child labor, and poverty remains high.(8)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Belize (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure the law prohibits commercial sexual exploitation of children ages 16 and 17.	2013 – 2016
	Ensure the minimum age for work is 14 in all sectors.	2013 – 2016
	Adopt a list of hazardous occupations and activities prohibited for children and ensure that all children under age 18 are prohibited from engaging in hazardous work.	2009 – 2016
	Ensure that laws prohibit the use of children in specific illicit activities, such as the production and trafficking of drugs.	2013 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 into non-state armed groups.	2016
Enforcement	Ensure that law enforcement agencies have sufficient resources to conduct labor inspections and criminal investigations, especially in rural areas.	2009, 2011 – 2016
	Publish information on enforcement efforts to combat the worst forms of child labor, including the number of criminal investigations.	2009 – 2016
	Publish information on the number of labor inspections conducted, including at work sites and by desk review.	2015 – 2016
Coordination	Conduct regular meetings of the National Child Labor Committee and develop concrete goals for the committee.	2015 – 2016
Social Programs	Increase access to education by eliminating fees and providing textbooks, uniforms, and meals.	2011 – 2016
	Develop programs aimed at reducing the worst forms of child labor, including in agriculture.	2009 – 2016

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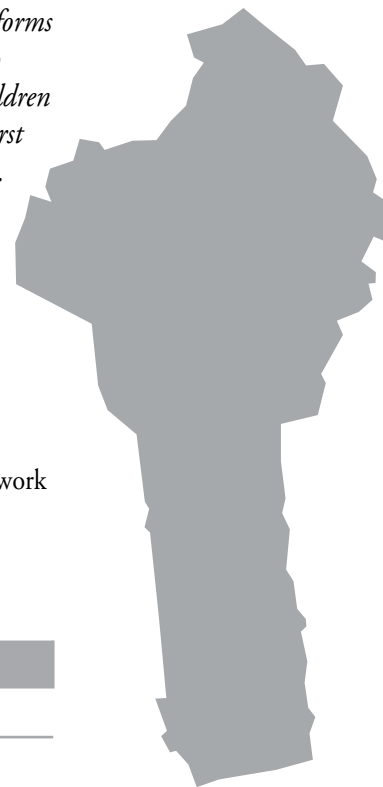
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Benin

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In 2016, Benin made a minimal advancement in efforts to eliminate the worst forms of child labor. The government established two counseling and rest centers in two markets in central Benin to provide counseling and training opportunities to children exposed to labor exploitation. However, children in Benin are engaged in the worst forms of child labor, including in domestic work and in the production of cotton. Limited resources for the systematic enforcement of child labor laws impede government efforts to protect children from the worst forms of child labor. The national action plan pertaining to the worst forms of child labor expired without the implementation of a new version, and social programs to combat child labor are insufficient to adequately address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Benin engage in the worst forms of child labor, including in domestic work and in the production of cotton.(1-4). Table 1 provides key indicators on children's work and education in Benin.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	20.9 (680,004)
Attending School (%)	5 to 14	71.0
Combining Work and School (%)	7 to 14	16.3
Primary Completion Rate (%)		76.3

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Demographic and Health Survey, 2011–2012.(6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of cotton [†] and cashew nuts [†] (3, 4, 7, 8)
	Capturing, cleaning, and descaling fish [†] (4, 9, 10)
	Raising livestock [†] (9)
Industry	Collecting, [†] crushing, [†] washing, [†] and sieving stones [†] for gold mining [†] and gravel [†] and granite quarrying [†] (1, 11-13)
	Construction, including brickmaking [†] (2, 4, 10, 13)
Services	Domestic work [†] (1, 2, 4, 13-16)
	Working as mechanics [†] and in the transportation industry [†] (4, 11, 13)
	Street vending, [†] including gasoline (4, 11, 13, 17)
	Dressmaking [†] and carpentry [†] (4, 9)
	Begging [†] (2, 4)
Categorical Worst Forms of Child Labor [‡]	Forced labor in domestic work, construction, mining, fishing, granite quarrying, and agriculture, including in the production of cotton, each sometimes as a result of human trafficking (1, 2, 4, 8, 12, 14, 16, 18)
	Forced begging (16, 19, 20)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2, 16, 17, 21)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Children are mostly trafficked within Benin but also to other countries, primarily Gabon, Nigeria, Lebanon, and the Republic of Congo, for domestic work and commercial sexual exploitation, as well as to work in vending, farming, stone quarrying, and the production of handicrafts.(1, 14, 16, 20, 22, 23) Children working in mines and quarries are subject to long working hours and to physical injuries and illnesses from dynamite explosions, falling rocks, collapsing quarry walls, and dust inhalation.(11, 12) A 2016 UNICEF-sponsored survey conducted by the Government of Benin in the cities of Cotonou and Malanville indicated that girls are subjected to sexual exploitation in these two cities.(24, 25)

Traditionally under *vidomegon*, children, up to 95 percent of them girls, live with relatives or family friends to perform domestic chores in exchange for educational opportunities; however, many children become victims of labor exploitation and sexual abuse.(1, 2, 4, 14, 20, 23, 25) In Northern Benin, *marabouts*, Koranic teachers, exploit boys in forced begging on the street or in agricultural work.(2, 19)




The constitution guarantees free compulsory primary education; nevertheless, some parents are expected to pay school fees for registration, uniforms, books, and materials.(4, 14) In addition, evidence suggests that incidences of physical, psychological, and sexual abuse, including corporal punishment and rape of students by teachers, prevent some children from remaining in school.(2, 17, 20, 21, 26, 27) Children with disabilities have no access to the regular education system.(4)

In January 2016, the Minister of Interior launched a two-week national awareness campaign to increase birth registration of children to ensure that they have access to services such as education, as 19.8 percent of children under age five continue to be unregistered.(2, 20, 23, 28-30)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Benin has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Benin's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Article 166 of the Labor Code; Article 210 of the Child Code (31, 32)
Minimum Age for Hazardous Work	Yes	18	Article 1 of the Hazardous Occupation List (33)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Occupation List (33)
Prohibition of Forced Labor	Yes		Articles 3 and 303 of the Labor Code; Article 4 of the Law Relating to the Transportation and Trafficking of Minors; Article 212 of the Child Code (31, 32, 34)

Benin

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Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Child Trafficking	Yes		Articles 3 and 303 of the Labor Code; Articles 2–4, 6, 18, and 22 of the Law Relating to the Transportation and Trafficking of Minors; Articles 212, 352, and 353 of the Child Code (31, 32, 34)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 3 of the Law on the Prevention and Repression of Violence Against Women and Children; Article 4 of the Law Relating to the Transportation and Trafficking of Minors; Articles 212 and 378 of the Child Code (32, 34, 35)
Prohibition of Using Children in Illicit Activities	Yes		Article 212 of the Child Code; Article 4 of the Law Relating to the Transportation and Trafficking of Minors (32, 34)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Article 6 of Law 2005–43; Title II, Article 32 of the Constitution (36, 37)
State Voluntary	Yes	18	Article 6 of Law 2005-43 (37)
Non-state Compulsory	Yes	18	Articles 2 and 4 of the Law Relating to the Transportation and Trafficking of Minors (34)
Compulsory Education Age	Yes	16	Article 24 of Act No. 2003-17; Article 4 of the Law on the Prevention of Violence Against Women and Children (35, 38)
Free Public Education	Yes		Article 13 of the Constitution; Article 114 of the Child Code (32, 36)

During the reporting period, the Government halted the review process to revise the Labor Code upon a change of administration, and formed a new committee to review the code.(39) Article 22 of the Law Relating to the Transportation and Trafficking of Minors prescribes insufficient penalties, especially in comparison to punishments prescribed for other serious crimes, such as rape. (16, 34)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Civil Service, and Social Affairs (MOLCSSA)	Enforce child labor laws and investigate labor code infractions, including those related to child labor.(17, 21, 40) Provide support to victims of child labor and human trafficking.(2, 21, 39) In 2016, the Ministry of Labor and Civil Service and the Ministry of Family, Social Affairs, and National Solidarity were merged.(39)
Ministry of Interior	Enforce criminal laws related to the protection of minors, including the worst forms of child labor, through the Central Office for the Protection of Minors (OCPM) under the Criminal Police Department.(2, 16, 21) Through its <i>Brigade des Moeurs</i> (vice squad), address human trafficking for sexual exploitation.(25)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Benin took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (28)	\$6,700 (17)
Number of Labor Inspectors	87 (28)	55 (17)
Inspectorate Authorized to Assess Penalties	Yes (28)	Yes (17)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown (28)	Yes (17)
Training on New Laws Related to Child Labor	No (28)	N/A (17)
Refresher Courses Provided	Unknown (28)	Yes (17)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Number of Labor Inspections	Unknown (28)	27 (17)
Number Conducted at Worksite	Unknown (28)	Unknown (17)
Number Conducted by Desk Reviews	Unknown (28)	Unknown (17)
Number of Child Labor Violations Found	Unknown (28)	1,278 (17)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (28)	Unknown (17)
Number of Penalties Imposed that Were Collected	Unknown (28)	Unknown (17)
Routine Inspections Conducted	No (28)	Yes (17)
Routine Inspections Targeted	Unknown (28)	Yes (17)
Unannounced Inspections Permitted	Yes (28)	Yes (17)
Unannounced Inspections Conducted	Unknown (28)	Unknown (17)
Complaint Mechanism Exists	Yes (28)	Yes (17)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (28)	Yes (30)

In 2016, the Ministry of Labor, Civil Service, and Social Affairs (MOLCSSA) employed 55 labor inspectors, 32 fewer than in 2015, as a result of retirements.(17, 39) The Government, with the assistance of UNICEF, held a four-day workshop to train 50 labor inspectors and child protection agents on child labor prevention and increase participants' capacities to address the worst forms of child labor.(17) With the assistance of the French Embassy, the Central Office for the Protection of Minors (OCPM), in conjunction with MOLCSSA, provided training on child trafficking prevention for four judges, 26 police officers, four members of civil society organizations, and religious and traditional leaders.(25)

The number of labor inspectors is insufficient for the size of Benin's workforce, which includes over 3 million workers. According to the ILO's recommendation of 1 inspector for every 40,000 workers in less developed economies, Benin should employ approximately 92 inspectors.(41, 42) The labor inspectorate stated that it lacks material and financial resources to effectively conduct inspections.(2, 16, 17) The OCPM under the Ministry of the Interior works together with Centers for Social Promotion under MOLCSSA to provide social services to child victims and ensure criminal investigation of the cases.(30)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Benin took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (23)	Unknown (17)
Training on New Laws Related to the Worst Forms of Child Labor	No (28)	N/A (17)
Refresher Courses Provided	Yes (23)	Unknown (17)
Number of Investigations	Unknown (28)	Unknown (17)
Number of Violations Found	Unknown (28)	Unknown (17)
Number of Prosecutions Initiated	Unknown (28)	Unknown (17)
Number of Convictions	Unknown (28)	Unknown (17)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (28)	Yes (17)

OCPM remained understaffed, underfunded, and without adequate office supplies, transportation, and fuel to enforce laws effectively and to provide victims with immediate assistance.(2, 16, 28) The police lacked the transportation resources to investigate human trafficking cases and the tools with which to maintain database records. Court officials were also unable to maintain database records on human trafficking, and lacked the personnel and infrastructure to efficiently prosecute cases.(23)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Executive Committee to Combat Child Labor	Provide policy guidance; approve programs; and coordinate, monitor, and evaluate efforts to combat child labor in Benin.(2) Led by MOLC SSA and comprised of delegates from multiple Beninese ministries, UNICEF, ILO, trade unions, and NGOs.(21, 43) In 2016, the committee met once to discuss how to enhance activities and partnerships.(30, 39, 44)
National Commission on Children's Rights	Coordinate and promote efforts on children's rights at the national level. Chaired by the Ministry of Justice and comprised delegates from multiple other ministries and representatives of civil society groups, who are appointed by the Minister of Justice.(2) In 2016, the commission did not meet.(39, 44)

The mandates of the National Executive Committee to Combat Child Labor and the National Commission on Children's Rights overlap and are a source of confusion.(2) In addition, although there is an information management system at the national level, data are rarely analyzed or used to affect implementation on the ground.(44) The National Monitoring and Coordination Working Group for Child Protection has not met since 2014 and is no longer operational.(39)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
Action Plan to Eradicate Child Exploitation in Markets†	Aims to eliminate the worst forms of child labor in the major markets of Benin, including Dantokpa in Cotonou, Ouando in Porto-Novo, and Arzèkè in Parakou, and to strengthen child labor laws, raise awareness of child labor in markets, and create social programs for children rescued from labor exploitation in the targeted markets.(45, 46) In 2016, MOLC SSA, in conjunction with UNICEF, completed a documentary film that features the economic exploitation of children in five markets of Benin.(17, 39)
National Policy for Child Protection (2014–2025)	Aims to improve child protection in Benin. Includes components to improve school feeding programs and to combat the worst forms of child labor, with a focus on child trafficking.(17, 46, 47) Implemented by MOLC SSA, which reported in 2016 that it is still in the process of finalizing an action plan for the operationalization of the policy.(17, 30, 46, 47)
UN Development Assistance Framework (2014–2018)	Outlines the collective actions and strategies of the UN system for achieving national development goals, including specific activities to address child labor by increasing access to social protection services.(48)

† Policy was approved during the reporting period.

Research was unable to determine whether the expired National Action Plan to Eliminate the Worst Forms of Child Labor in Benin was renewed. Research was also unable to determine whether activities were undertaken to implement the UN Development Assistance Framework during the reporting period.(30) The Government has not included child labor elimination and prevention strategies in the Education Sector Plan.(20, 30)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor†

Program	Description
Understanding Children's Work-Action Against Child Labor (2015–2018)	Government of Canada-funded, 3-year, \$750,000 project to combat child labor by supporting data collection and policy efforts related to children's work and youth employment.(49) In 2016, research was unable to determine whether any actions were undertaken.(30)
Government-Funded Shelters†	MOLC SSA-operated Social Promotion Centers that provide food, shelter, education, and vocational training to vulnerable children, including victims of labor exploitation, in 85 centers. OCPM also operates an interim care facility for human trafficking survivors before their placement in a long-term shelter.(21, 39, 43) In 2016, social workers from the Social Promotion Center of Kandi and members of the <i>Réseau des Structures de Protection des Enfants en Situation Difficile</i> trained 20 members of civil society organizations committed to the protection of children's rights on the new child code.(2, 16, 17, 21, 39)

Table 10. Key Social Programs to Address Child Labor[†] (cont)

Program	Description
Government-Funded Re-Training Centers [†]	The Ministry of Mines' Social Services offers business management training to families, particularly women, involved in mining and quarrying, and provides protection equipment, including boots and gloves, to mining craftsmen in three cities.(43, 46) MOLCSSA, with the assistance of UNICEF, maintains a vocational school program to train survivors of child trafficking in a trade.(43, 44) In 2016, the Government, with assistance of UNICEF and Caritas, established two counseling and leisure centers in the markets of Zakpota and Abomey in central Benin to provide counseling and training opportunities to children exposed to labor exploitation.(17)
Benin Global Partnership for Education Program (2014–2017)	Approximately \$42.3-million, World Bank-funded project that aims to improve access and equity to quality basic education in highly impoverished districts. In 2016, the primary completion rate in targeted districts increased to 54.4 percent from 40.4 percent in 2011, and 10,700 teachers were provided with a 10-day in-service training.(50)

[†] Program is funded by the Government of Benin.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(4, 17, 39, 51, 52)

Although the Government of Benin has implemented programs to protect children from human trafficking and participated in programs focused on child labor in quarrying and mining, research was unable to determine whether the Government has conducted programs to assist children engaged in other worst forms of child labor, including in domestic work, commercial sexual exploitation, or agriculture.(17)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Benin (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Create meaningful penalties for human trafficking crimes involving labor exploitation.	2014 – 2016
Enforcement	Provide consistent training for law enforcement officials on the worst forms of child labor.	2013 – 2016
	Increase resources, including the number of labor inspectors and criminal investigators, to enforce laws against child labor and provide immediate victim assistance.	2009 – 2016
	Publish data on the type of labor inspections conducted, training for criminal investigators, and the number of criminal investigations, prosecutions, convictions, and penalties related to child labor, including its worst forms.	2009 – 2016
	Increase the resources available to law enforcement officials to efficiently track child labor cases.	2015 – 2016
Coordination	Take measures to coordinate efforts at the national level to eliminate duplicative activities, committees, and actors at the local level.	2013 – 2016
	Analyze the data received from national information management systems and disseminate results nationwide.	2013 – 2016
Government Policies	Complete a new National Action Plan to Eliminate the Worst Forms of Child Labor in Benin.	2010 – 2016
	Undertake activities to implement the UN Development Assistance Framework.	2016
	Ensure child labor elimination and prevention strategies are integrated into the Education Sector Action Plan.	2010 – 2016
Social Programs	Increase access to education by eliminating school-related fees, ensuring that children with disabilities have access to regular schools, ensuring the safety of children in schools, and increasing birth registration rates to ensure that children have access to services such as education.	2010 – 2016
	Institute programs to address the worst forms of child labor, including in domestic work, commercial sexual exploitation, and agriculture, and monitor and report annually on the progress of these programs.	2010 – 2016
	Implement the Understanding Children's Work–Action Against Child Labor project.	2016

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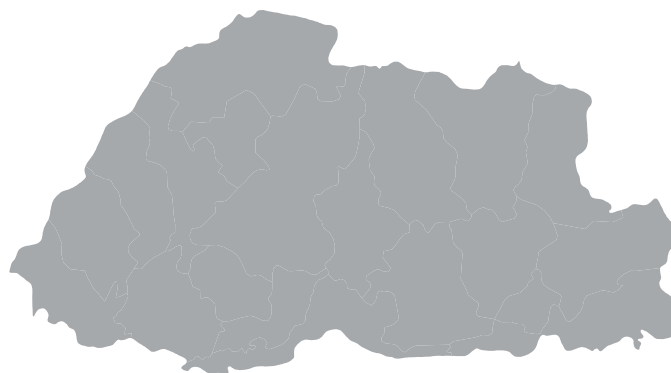
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Bhutan

MODERATE ADVANCEMENT

In 2016, Bhutan made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government increased the number of labor inspectors and established a coordinating mechanism that developed a national child labor action plan. Although research is limited, there is evidence that children in Bhutan perform dangerous tasks in agriculture, and engage in the worst forms of child labor, including in forced domestic work. Bhutan's minimum age for work is inconsistent with international standards and education is not compulsory. The Government also has not adopted a national policy to address child labor, including its worst forms.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Bhutan perform dangerous tasks in agriculture and engage in the worst forms of child labor, including in forced domestic work.(1-3) Table 1 provides key indicators on children's work and education in Bhutan. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	3.8 (6,338)
Attending School (%)	5 to 14	84.7
Combining Work and School (%)	7 to 14	3.3
Primary Completion Rate (%)		97.0

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from the Multiple Indicator Cluster Survey 4, 2010.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, activities unknown (3, 6-8)
Industry	Construction,† activities unknown (3)
Services	Domestic work (3, 6-10) Work in shops, restaurants, hotel service, and automobile repair (3, 8, 10)
Categorical Worst Forms of Child Labor‡	Forced domestic work, sometimes as a result of human trafficking (1, 3) Forced labor in karaoke bars, sometimes as a result of human trafficking (1, 11) Commercial sexual exploitation, sometimes as a result of human trafficking (1) Use in illicit activities, including the smuggling of tobacco (10)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.







There is a lack of current data on child labor in Bhutan. To date, no national survey on child labor has been conducted.

While the Government provides 11 years of free education to all Bhutanese citizens, children living in remote villages face significant difficulties in accessing public schools, which may increase their vulnerability to labor exploitation.(8, 12)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Bhutan has ratified some key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	N/A
 ILO C. 182, Worst Forms of Child Labor	N/A
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Bhutan's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	13	Sections 170 and 171 of the Labor and Employment Act; Section 7 of the Regulation on Acceptable Forms of Child Labor (13, 14)
Minimum Age for Hazardous Work	Yes	18	Sections 170 and 171 of the Labor and Employment Act (13)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 9(e) of the Labor and Employment Act; Section 9 of the Regulation on Acceptable Forms of Child Labor (13, 14)
Prohibition of Forced Labor	Yes		Sections 6 and 9(a) of the Labor and Employment Act; Sections 154, 227, and 379 of the Penal Code; Section 221 of the Child Care and Protection Act (13, 15, 16)
Prohibition of Child Trafficking	Yes		Section 9(a) of the Labor and Employment Act; Sections 221 and 224 of the Child Care and Protection Act; Sections 227, 379 and 380 of the Penal Code (13, 15, 16)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 9(b) of the Labor and Employment Act; Sections 222–224 of the Child Care and Protection Act; Sections 225, 375–380 of the Penal Code (13, 15, 16)
Prohibition of Using Children in Illicit Activities	Yes		Section 9(c) of the Labor and Employment Act; Sections 216 and 220 of the Child Care and Protection Act (13, 16)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Defense Service Rules and Regulation (17)
Non-state Compulsory	Yes	18	Section 9(a) of the Labor and Employment Act (13)
Compulsory Education Age	No		
Free Public Education	Yes		Article 9.16 of the Constitution of the Kingdom of Bhutan (18)

* No conscription (18)

The minimum age for work is not in compliance with international standards because the Labor and Employment Act allows children under age 14 to work.(13) Bhutan has no compulsory age for education, which may increase the risk of children's involvement in child labor.

Bhutan

MODERATE ADVANCEMENT

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Human Resources (MOLHR)	Investigate child labor complaints and ensure employers comply with child labor laws. Refer cases involving the worst forms of child labor to the police.(19)
Royal Bhutan Police	Investigate and enforce criminal laws relating to the worst forms of child labor.(20) Includes three Women and Child Protection Units and eight Women and Child Protection Desks to enforce laws protecting women and children.(8, 21, 22) Refer abused and exploited children to child welfare officers and the National Commission for Women and Children.(16, 23)
Child Welfare Officers	Protect and assist children in difficult circumstances, including children abused and exploited for illegal purposes.(16)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Bhutan took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$45,000 (8)	\$27,000 (8)
Number of Labor Inspectors	20 (10)	27 (8)
Number of Child Labor Dedicated Inspectors	1 (10)	1 (8)
Inspectorate Authorized to Assess Penalties	Yes (10)	Yes (8)
Training for Labor Inspectors		
Initial Training for New Employees	No (10)	No (8)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (10)	Yes (8)
Number of Labor Inspections	2,000 (10)	2,434 (8)
Number Conducted at Worksite	2,000 (10)	2,434 (8)
Number Conducted by Desk Reviews	0 (10)	0 (8)
Number of Child Labor Violations Found	0 (10)	0 (8)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (10)	0 (8)
Number of Penalties Imposed That Were Collected	0 (10)	0 (8)
Routine Inspections Conducted	Yes (10)	Yes (8)
Routine Inspections Targeted	Yes (10)	Yes (8)
Unannounced Inspections Permitted	Yes (10)	Yes (8)
Unannounced Inspections Conducted	Yes (10)	Yes (8)
Complaint Mechanism Exists	Yes (10)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (8)

The Ministry of Labor and Human Resources has reported that limited resources place constraints on the number of inspections conducted and inspectors employed.(8)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Bhutan took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown* (8)	Unknown* (8)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	No (24)	Unknown* (8)
Number of Investigations	Unknown* (10)	Unknown* (8)
Number of Violations Found	Unknown* (10)	Unknown* (8)
Number of Prosecutions Initiated	Unknown* (10)	Unknown* (8)
Number of Convictions	Unknown* (10)	Unknown* (8)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	Yes (8)

* The Government does not publish this information.

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Interagency Task Force*	Coordinate the development and drafting of a national child labor action plan. Led by the MOLHR and the National Commission for Women and Children (NCWC). Collaborate with multiple government ministries and agencies. Consists of a national committee and a regional committee.(25)
National Commission for Women and Children	Coordinate the implementation of policies concerning abused and exploited women and children. Advise the Government on legislation and policies for the protection of women and children.(26) Comprises a chairperson and commissioners who represent relevant government agencies and non-government sectors.(26)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

Research found no evidence that the Government has established policies to address child labor, including its worst forms. In 2016, the Interagency Task Force drafted a national child labor action plan that is expected to be finalized in 2017.(8) The Government also hosted the South Asia Initiative to End Violence Against Children regional consultation on achieving Sustainable Development Goal 8.7 that focuses on ending child labor, forced labor, modern slavery, and human trafficking.(27)

The Government had policies that may have addressed child labor issues or had an impact on child labor; however, child labor elimination and prevention strategies have not been included in these policies.(28, 29)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that may contribute to the prevention or elimination of child labor (Table 9).

Table 9. Key Social Programs to Address Child Labor†

Program	Description
Project Hope†	NCWC program that provides residential shelters for children at risk of exploitative child labor. Targets children on the street and provides them with counseling, group therapy, and assistance enrolling in school.(19)
Trafficking Victims Shelter†	Respect, Education, Nurture, and Empower Women (RENEW), a Thimphu-based NGO, receives government funding to provide shelter, counseling, and rehabilitation for women and children trafficking victims.(19)
Enhance Government and Civil Society Responses to Counter Trafficking in Persons	UNODC and Government program that seeks to increase law enforcement capacity to enforce anti-trafficking laws, including victim identification, investigation of human trafficking cases, and victim reintegration.(30)

Table 9. Key Social Programs to Address Child Labor[†] (cont)

Program	Description
Improving Rural Children's Access to Basic Education with Focus on Primary Education (2014–2018)	\$8.58 million WFP-funded program provides financial support to rural primary schools.(31) Aims to increase primary school enrollment, retention, and graduation by providing school breakfasts and lunches to students. Implemented in 232 schools across the country, reaches 37,000 children annually, and supports school construction and kitchen improvements.(19, 31)

[†] Program is funded by the Government of Bhutan.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(32, 33)

While the Government of Bhutan has implemented programs that target children at risk for labor exploitation, research found no evidence that these programs target children working in agriculture and domestic service or children involved in the worst forms of child labor, including in domestic servitude.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Bhutan (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2013 – 2016
	Ensure that the laws on child labor comply with the international standard of the minimum age for work.	2010 – 2016
	Make primary education compulsory and ensure that the compulsory age extends to the minimum age for employment.	2010 – 2016
Enforcement	Ensure that the MOLHR has the resources and training necessary to enforce labor laws and to combat child labor.	2014 – 2016
	Publish data on training provided to investigators responsible for enforcing criminal laws prohibiting the worst forms of child labor, and publish data on the number of investigations, violations, prosecutions, and convictions of crimes involving the worst forms of child labor.	2010 – 2016
Government Policies	Adopt a policy to address child labor, including its worst forms.	2016
	Integrate child labor elimination and prevention strategies into existing policies that may address child labor.	2014 – 2016
Social Programs	Conduct a national child labor survey and publish the results.	2013 – 2016
	Implement programs to make education more accessible for children living in remote locations.	2014 – 2016
	Create social programs targeting working children, particularly in agriculture, and children engaged in the worst forms of child labor, including forced domestic work.	2009 – 2016

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Bolivia

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

In 2016, Bolivia made a minimal advancement in efforts to eliminate the worst forms of child labor. Despite new initiatives to address child labor, Bolivia is receiving this assessment because it continued to implement a law that delayed advancement in eliminating the worst forms of child labor. Bolivia's Child and Adolescent Code, passed in 2014, allows children as young as age 10 to be self-employed under certain conditions. Otherwise, the Government made efforts by incorporating into law the Agreement between the Plurinational State of Bolivia and the Republic of Argentina to Prevent and Investigate Trafficking in Persons and Protect and Assist Victims. The Government also signed agreements with Brazil and Peru to combat human trafficking. However, children in Bolivia engage in the worst forms of child labor, including in mining and the harvesting of sugarcane. The Offices of the Child Advocate, required by the Child and Adolescent Code to authorize child work and assist victims of child labor, are also absent or underfunded in many municipalities, leaving some children unprotected and vulnerable to the worst forms of child labor. In addition, the Government lacks a comprehensive child labor policy.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Bolivia engage in the worst forms of child labor, including in mining and the harvesting of sugarcane.(1, 2) Table 1 provides key indicators on children's work and education in Bolivia.

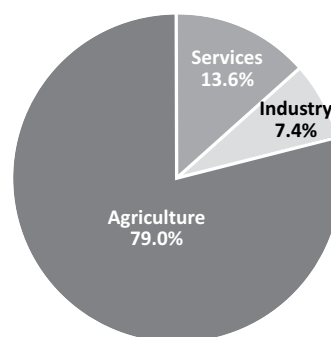
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	7 to 14	20.2 (355,206)
Attending School (%)	5 to 14	93.7
Combining Work and School (%)	7 to 14	18.7
Primary Completion Rate (%)		90.5

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(3)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta Continua de Hogares Survey, 2013.(4)

Figure 1. Working Children by Sector, Ages 7-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Planting and harvesting corn, cotton, and peanuts (5-7)
	Production and harvesting of Brazil nuts/chestnuts [†] and sugarcane [†] (2, 5, 6, 8, 9)
	Ranching and raising cattle [†] and plucking chickens (2, 6, 10)
Industry	Mining [†] of gold, silver, tin, and zinc (1, 9-11)
	Construction, [†] including heavy lifting and shoveling (2, 8, 10, 12)
	Production of bricks [†] (10, 13-15)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Services	Street vending, shoe shining, and assisting transportation operators (8, 10, 11, 16, 17)
	Domestic work [†] (10, 11, 18)
Categorical Worst Forms of Child Labor [‡]	Forced labor in ranching and in the production and harvesting of Brazil nuts and sugarcane (9, 19-21)
	Forced begging and forced labor in mining and domestic service (2, 11, 22-24)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2, 22, 24)
	Forced to commit illicit activities, including robbery and producing or transporting drugs (2, 22, 24)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Children produce and harvest sugarcane and Brazil nuts in the departments of Beni, Pando, Santa Cruz, and Tarija, although recent efforts to combat this practice and other factors have reportedly reduced the prevalence of child labor in these sectors.(1, 6, 8, 9) Indigenous children are particularly vulnerable to the worst forms of child labor.(20, 22, 25) Some indigenous Guaraní families live in debt bondage and work on ranches, including in raising cattle, in the Chaco region of Bolivia.(5, 6, 8) Based on reports, this practice may have been reduced in recent years due, in part, to increased attention to the region and land tenure reform.(8) Bolivian children are trafficked to Argentina, where they are vulnerable to commercial sexual exploitation and forced labor in agriculture and the production of textiles.(26-29)

Bolivian law requires children to attend school up to age 17. However, attendance rates for secondary education are low, particularly in rural areas and often because children work.(23, 25, 30)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Bolivia has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Bolivia’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	14	Articles 8 and 58 of the General Labor Law; Article 129 of the Child and Adolescent Code (31, 32)
Minimum Age for Hazardous Work	Yes	18	Articles 58 and 59 of the General Labor Law; Articles 5 and 136 of the Child and Adolescent Code (31, 32)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 136 of the Child and Adolescent Code (32)

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Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Forced Labor	Yes		Articles 15, 46, and 61 of the Constitution; Article 291 of the Penal Code; Article 34 of the Comprehensive Law against Human Trafficking and Smuggling (33-35)
Prohibition of Child Trafficking	Yes		Article 15 of the Constitution; Article 34 of the Comprehensive Law against Human Trafficking and Smuggling (33, 35)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 34–35 of the Comprehensive Law against Human Trafficking and Smuggling (35)
Prohibition of Using Children in Illicit Activities	Yes		Article 56 of the Law on Coca and Controlled Substances (36)
Minimum Age for Military Recruitment			
State Compulsory	No	17	Articles 108 and 249 of the Constitution; Article 1 of Supreme Decree No. 1875; Article 1 of Supreme Decree No. 21479 (33, 37, 38)
State Voluntary	Yes	16*	Articles 1–2 of the General Directive of Pre-Military Recruitment; Articles 2 and 7 of the Law of National Military Service (39, 40)
Non-state Compulsory	No		
Compulsory Education Age	Yes	17‡	Article 81 of the Constitution; Articles 1, 8–9, and 11–14 of the Avelino Siñani-Elizardo Pérez Education Law (33, 41)
Free Public Education	Yes		Articles 17 and 81 of the Constitution; Article 1 of the Avelino Siñani-Elizardo Pérez Education Law; Article 115 of the Child and Adolescent Code (32, 33, 41)

* The minimum age for combat is 18 per Article 36 of the Law of National Military Service (39)

‡ Age calculated based on available information

In 2016, the Government passed Law 791, which incorporated into Bolivian law the Framework Agreement between the Plurinational State of Bolivia and the Republic of Argentina to Prevent and Investigate Trafficking in Persons and Protect and Assist Victims.(42)

The 2014 Child and Adolescent Code specifies the conditions under which children may work, in addition to providing a number of other protections.(32) However, its provisions establishing exceptions to the minimum age for work do not conform to international standards.(43, 44) Article 129(1) of the Child and Adolescent Code establishes the minimum age for work at 14 years, which is consistent with Article 58 of the General Labor Law.(31, 32) However, Article 129(2) of the Child and Adolescent Code allows children as young as 10 years old to work in self-employment upon authorization by the municipal Offices of the Child Advocate, provided that this work does not adversely affect the child’s health or education, and only upon consent of a parent or guardian and after successful medical and psychological evaluations.(32) Allowing children as young as 10 years old to work may affect their schooling, which in Bolivia is compulsory to age 17.(41, 43, 44) The ILO Committee of Experts has called upon the Government to amend Article 129 of the Child and Adolescent Code to set the minimum age for work, including in self-employment, at 14 years.(43, 44) Article 129(2) of the Child and Adolescent Code also permits children as young as 12 to work for third parties following the same authorization process.(32) Although ILO C. 138 allows children as young as 12 to engage in light work under certain circumstances, Bolivian law does not specify a list of activities that are permissible for light work, or the number of hours children are permitted to work in these activities.(32)

Apprenticeships in Bolivia are regulated by Articles 28–30 and Article 58 of the General Labor Law, which requires that apprentices attend school. However, the General Labor Law does not set a minimum age for participation in apprenticeships.(31, 45) Articles 108 and 249 of the Constitution require Bolivian males to perform compulsory military service in accordance with national law.(33) Article 1 of Supreme Decree No. 1875, passed in 2014, lowered the minimum age at which compulsory military service may begin from 18 years, as previously established, to 17 years.(37, 38) Under Article 2 of the UN CRC Optional Protocol on Armed Conflict, to which Bolivia acceded in 2004, state parties must ensure that children under age 18 may not be compulsorily recruited into their armed forces.(46-48)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MOL)	Enforce child labor laws, in part through its Fundamental Rights Unit, which also addresses forced labor of indigenous peoples.(49) Refer cases to the Labor Courts for adjudication of penalties and unpaid wages.(2) Engage municipal Offices of the Child Advocate to ensure the protection of children's rights. (10, 50) Assist in the implementation of the Child and Adolescent Code, including in the authorization of children's work for third parties from the age of 14.(10, 32)
Municipal Offices of the Child Advocate	Authorize children from the age of 10 to work in exceptional cases and register them in the Government's Child and Adolescent Information System (SINNA), pursuant to the Child and Adolescent Code. Protect the rights and welfare of children, including by accompanying child labor inspectors, and refer criminal child labor cases to prosecutors and for social services.(10, 32)
Attorney General's Office	Oversee all human trafficking investigations and prosecutions.(27) Oversee through its National Coordinator's Office regional prosecutors who, in conjunction with the Bolivian National Police, pursue cases of human trafficking. Maintain a database of human trafficking cases.(27)
Ministry of Justice and Transparency	Create and administer SINNA, in which municipal Offices of the Child Advocate register young workers who are authorized to engage in self-employment or work for third parties, as required by the Child and Adolescent Code.(32)
Bolivian National Police	Maintain the Special Force in the Fight Against Crime (FELCC), which runs 15 investigative human trafficking units, and the Police Unit for Migratory Control and Assistance, which patrols national borders.(10, 51, 52) Refer trafficking victims to departmental social services or Offices of the Child Advocate.(53)

The Child and Adolescent Code requires the municipal Offices of the Child Advocate to authorize children ages 10 to 18 to engage in self-employment, and children ages 12 to 14 to work for third parties, both under certain conditions to ensure children's protection.(32) However, reports indicate that up to 20 percent of municipalities in Bolivia lack an Office of the Child Advocate; many more are reported to lack sufficient resources and the capacity to perform their mandate. This lack of institutional coverage may leave certain children particularly vulnerable to child labor, including its worst forms.(2, 10, 54)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Bolivia took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	97 (23)	85 (55)
Number of Child Labor Dedicated Inspectors	10 (23)	12 (2)
Inspectorate Authorized to Assess Penalties	No (2)	No (2)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Yes (2)
Training on New Laws Related to Child Labor	Unknown	N/A
Refresher Courses Provided	Yes (23)	Yes (2)
Number of Labor Inspections	Unknown* (23)	Unknown* (2)
Number Conducted at Worksite	Unknown* (23)	Unknown* (2)
Number Conducted by Desk Reviews	Unknown* (23)	Unknown* (2)
Number of Child Labor Violations Found	Unknown* (23)	Unknown* (2)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown* (23)	Unknown* (2)
Number of Penalties Imposed that Were Collected	Unknown* (23)	Unknown* (2)

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Routine Inspections Conducted	Yes (23)	Yes (2)
Routine Inspections Targeted	Yes (23)	Yes (2)
Unannounced Inspections Permitted	Yes (23)	Yes (2)
Unannounced Inspections Conducted	Yes (23)	Yes (2)
Complaint Mechanism Exists	Yes (23)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (23)	Yes (2)

* The Government does not publish this information.

Although the amount of funding allocated to the labor inspectorate was not publicly available, reports indicate that it was insufficient to inspect for child labor nationwide.(55) The number of labor inspectors is insufficient for the size of Bolivia's workforce, which includes over 4.9 million workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in industrializing economies, Bolivia should employ roughly 333 labor inspectors.(56-58)

In 2016, the number of general labor inspections, as well as information on the sectors and geographical regions in which they were conducted, was not publicly available. The Ministry of Labor (MOL) reported that it conducted 250 targeted child labor inspections.(2) Reports indicate that this number was inadequate to address the scope of the problem, particularly in rural and hard to reach areas.(55)

The MOL and the national Office of the Child Advocate continue to develop a registry of children authorized to work by the municipal Offices of the Child Advocate. Research could not find data on the number of children authorized to work in 2016.(50) The Government reports that children who are removed from child labor are referred to the municipal Offices of the Child Advocate for services. However, information on the number of children removed and whether they received services, particularly in cases where an Office of the Public Advocate did not exist, was not publicly available.(2)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Bolivia took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	N/A
Refresher Courses Provided	Yes (23)	Yes (2, 59)
Number of Investigations	Unknown* (23)	Unknown* (2)
Number of Violations Found	Unknown* (23)	Unknown* (2)
Number of Prosecutions Initiated	Unknown* (23)	Unknown* (2)
Number of Convictions	Unknown* (23)	Unknown* (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (23)	Yes (2)

* The Government does not publish this information.

In 2016, some criminal law enforcement officials received some training on trafficking in persons issues. However, research could not determine the extent to which trainings included other worst forms of child labor. Children rescued from the worst forms of child labor are often not referred for social services because there are few government-run shelters. Many criminal law enforcement agencies reported that funding levels were inadequate to carry out their mandates and that they sometimes lacked fuel to conduct investigations.(59)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Commission for the Progressive Eradication of Child Labor	Coordinate national efforts to address child labor issues. Led by the MOL and includes the Ministries of Justice, Education, and Planning, as well as several NGOs.(10)
Plurinational Council against Human Trafficking and Smuggling	Coordinate anti-trafficking efforts and implement national laws and policies on human trafficking and smuggling.(35, 51, 60) Chaired by the Minister of Justice and comprises eight ministries, the Public Advocate, and NGOs.(51)
Department-Level Councils against Human Trafficking and Smuggling	Coordinate efforts of the Plurinational Council in Bolivia's nine departments. Comprises officials from the FELCC, the MOL, the Ministries of Migration and Education, the Human Rights Ombudsman, and NGO representatives.(10, 35, 60)

The National Commission for the Progressive Eradication of Child Labor has been increasingly inactive, and many government agencies and NGOs agree that its central coordinating role has lapsed.(2) Reports also indicate that some of the MOL's departmental sub-commissions on child labor have not been active, due in part to a lack of resources.(10, 23)

The Comprehensive Law against Human Trafficking and Smuggling mandates that the Plurinational Council against Human Trafficking and Smuggling include NGOs. However, reports indicate that NGOs have not participated fully in the Plurinational Council despite NGOs' efforts for inclusion.(51) Reports also indicate that some Department-Level Councils against Human Trafficking and Smuggling have yet to develop department-level plans to combat human trafficking, as mandated by law.(2, 35, 59, 60)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
Plurinational Policy to Combat Trafficking and Smuggling of Persons (2013–2017)	Sets national priorities on combating human trafficking and smuggling through five core areas: the prevention of trafficking, remediation and the reintegration of survivors, the prosecution of crimes, the strengthening of national coordination mechanisms, and international cooperation.(60-62)
National Action Plan to Combat Trafficking and Smuggling of Persons (2015–2019)	Establishes eight lines of action drawn from the five core areas of the Plurinational Policy to Combat Trafficking and Smuggling of Persons, including building capacity and coordination among criminal law enforcement agencies.(63) In 2016, the Plurinational Council refined the plan, whose updated version awaits approval.(59)

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(64)

Bolivia's national policy for addressing child labor, the National Plan for the Progressive Eradication of Child Labor (2000–2010), expired in 2010.(65) A new plan was not established during the reporting period.(66) The Government has not included child labor elimination and prevention strategies into the national Patriotic Agenda 2025.(23, 67, 68)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
<i>Juancito Pinto</i> Subsidy Program [‡]	Government program that provides a conditional cash transfer to all primary school students to increase school attendance and reduce the dropout rate.(53) In 2016, assisted 2,191,526 students with a budget of \$68 million.(55)
Human Rights of Children Working in Sugarcane, Brazil Nuts, and Mining [‡]	Human Rights Ombudsman's Office program that promotes the elimination of the worst forms of child labor, along with labor and social protections for working adolescents ages 14 to 17. Launched in 2013 in the Tarija, Potosí, and Beni Departments.(69) Expanded in 2014 to monitor the use of child labor in sugarcane harvesting in Santa Cruz.(70) In 2016, continued to monitor child labor in these high-risk sectors.(55)

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Table 10. Key Social Programs to Address Child Labor* (cont)

Program	Description
Bolivian Foreign Trade Institute's Triple Seal Initiative	MOL collaboration with the Bolivian Institute of Standardization and Quality, UNICEF, and the ILO to develop a voluntary certification program to recognize companies that comply with Bolivian law and ILO conventions on child labor, forced labor, and worker discrimination in the production of their goods.(10, 53, 71) In 2016, engaged with companies in the sugarcane and Brazil nut sectors and launched campaigns to raise public awareness about goods made with child labor.(55)
Child Trafficking Awareness-Raising Campaigns	Government program implemented with the Bolivian Network for the Fight Against Human Trafficking and Smuggling that conducts awareness campaigns to educate the public about the Comprehensive Law against Human Trafficking and Smuggling. Has reached more than 3,000 government officials and NGO representatives. (26, 50)
Program to Protect the Rights of Children and Adolescents	Government collaboration with UNICEF in 17 Bolivian Brazil nut- and sugarcane-producing municipalities to provide education assistance, with funding from the Government of Italy and the Swiss Cooperation Agency. Seeks to improve living conditions of 2,300 families and reintegrate 3,400 children in school.(72)

† Program is funded by the Government of Bolivia.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(23, 72-76)

Although Bolivia has programs that target child labor, the scope of these programs is insufficient to address the extent of the problem, particularly in the production of Brazil nuts and sugarcane, ranching and cattle raising, mining, domestic work, street work, and commercial sexual exploitation. Although the *Juancito Pinto* subsidy program continues to expand, reports indicate that the \$29 subsidy is insufficient to meaningfully cover costs associated with attending school, such as transportation and school supplies. For example, reports indicate that costs associated with attending school in La Paz's sister city, El Alto, may reach \$410 per year.(23)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Bolivia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that minimum age protections are extended to all children under 14 years, including in self-employment.	2014 – 2016
	Establish a list of occupations constituting light work, as well as the number of hours permitted in light work, for children ages 12 to 14.	2014 – 2016
	Ensure that the law prohibits children under age 14 from participating in apprenticeships.	2010 – 2016
	Ensure that the law establishes 18 as the minimum age for compulsory recruitment by the state military, and criminally prohibits the recruitment of children under 18 into non-state armed groups.	2015 – 2016
Enforcement	Establish and maintain an Office of the Child Advocate in every municipality with sufficient resources to ensure that legal protections are extended to all children who are permitted to work and to coordinate the provision of services to children who are removed from child labor, including its worst forms.	2014 – 2016
	Ensure that Offices of the Child Advocate publicly report on the number of children authorized to work and the number of children rescued from child labor and referred for social services.	2015 – 2016
	Provide sufficient funding to increase the capacity of the MOL to ensure the effective enforcement of child labor laws.	2013 – 2016
	Increase the number of labor inspectors responsible for enforcing laws on child labor to meet the ILO recommendation, and ensure that the number of labor inspections is sufficient.	2013 – 2016
	Authorize the labor inspectorate to assess penalties.	2015 – 2016
	Ensure that labor inspectors conduct inspections in all sectors and geographical areas.	2011 – 2016
	Publish information on child labor law enforcement, including the overall number of labor inspections, the number of children found in child labor as a result of inspections, the number of violations found, and the number of penalties imposed and collected.	2009 – 2016
	Ensure that all criminal investigators, including new employees, receive training on the worst forms of child labor, and make information about trainings publicly available.	2015 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information on the number of criminal child labor investigations, prosecutions, convictions, and penalties.	2011 – 2016
	Provide sufficient funding to criminal law enforcement agencies to ensure effective enforcement of laws related to the worst forms of child labor.	2015 – 2016
Coordination	Ensure that the National Commission for the Progressive Eradication of Child Labor fulfills its central coordinating role and develops concrete mechanisms to improve coordination among participating agencies and organizations.	2009 – 2016
	Ensure that all the MOL departmental sub-commissions designed to combat child labor convene and receive sufficient resources to carry out their functions.	2014 – 2016
	Ensure that NGOs participate in the Plurinational Council against Human Trafficking and Smuggling, as required by the Comprehensive Law against Human Trafficking and Smuggling.	2014 – 2016
	Ensure that all Department-Level Councils against Human Trafficking are fully operational as required by the Comprehensive Law against Human Trafficking and Smuggling.	2014 – 2016
Government Policies	Establish and implement a new National Plan for the Progressive Eradication of Child Labor.	2010 – 2016
	Integrate child labor elimination and prevention strategies into the Government's national development plan.	2013 – 2016
Social Programs	Expand national programs to increase secondary school attendance.	2010 – 2016
	Ensure that there are adequate social services to assist victims of the worst forms of child labor.	2015 – 2016
	Increase the Juancito Pinto subsidy to ensure that school children are able to cover the costs associated with attending school.	2014 – 2016
	Expand social programs to address the worst forms of child labor where hazardous child labor exists, particularly in the production of Brazil nuts and sugarcane, ranching and cattle raising, mining, domestic work and street work, and commercial sexual exploitation.	2009 – 2016

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In 2016, Bosnia and Herzegovina made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government of the Federation of Bosnia and Herzegovina amended the Criminal Code to criminalize all forms of human trafficking within its jurisdiction, thereby harmonizing the law with the rest of the country. Trainings were also held for labor inspectors on human trafficking identification and the national referral mechanism. In addition, the Government funded 16 NGOs to implement programs to address human trafficking. However, children in Bosnia and Herzegovina perform dangerous tasks in street work. Children also engage in the worst forms of child labor, including in commercial sexual exploitation as a result of human trafficking. The Government lacks a mechanism to coordinate its efforts to address child labor, including its worst forms. In addition, the minimum age protections in the Federation of Bosnia and Herzegovina, Republika Srpska, and Brčko District labor codes do not apply to children who are self-employed or working outside formal employment relationships. Although forced begging is a problem in the country, labor inspectors do not have jurisdiction to investigate forced begging cases, and training is needed for law enforcement and the judiciary, particularly on how to properly identify and prosecute cases involving child begging.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Bosnia and Herzegovina (BiH) perform dangerous tasks in street work.(1-6) Children also engage in the worst forms of child labor, including in commercial sexual exploitation as a result of human trafficking.(6-8) Table 1 provides key indicators on children's work and education in BiH. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	8.9 (44,017)
Attending School (%)	5 to 14	83.7
Combining Work and School (%)	7 to 14	10.6
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2016.(9)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 3, 2006.(10)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Services	Street work, including begging, vending, washing car windows, and scavenging for scrap metal (1-5, 11)
Categorical Worst Forms of Child Labor [‡]	Forced begging and forced domestic work, each sometimes as a result of human trafficking (6-8, 12-14)
	Commercial sexual exploitation as a result of human trafficking (7, 8, 12)
	Use in illicit activities, including for pickpocketing (2, 5, 12)
	Use in the production of pornography (3, 6, 15)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Street begging is the most common form of child labor in BiH.(1, 2, 5, 13, 16) Organized groups sometimes traffic children to lucrative locations and force them to beg, both domestically and internationally, to regional and European Union countries.(2, 12, 14, 17) BiH lacks recent, comprehensive data on the extent and nature of child labor in the country.(5, 6, 13)

Children from the Roma community, the largest minority group in BiH, remain vulnerable to the worst forms of child labor.(1, 2, 4-8, 12, 13, 18) The Roma custom of paid and arranged marriages between families has resulted in the exploitation of some Roma girls as domestic workers.(6-8, 12) Birth registration is required to attend school in Bosnia. Some Roma children lack identity documents, which may affect their access to education.(6, 17, 19-23) Children out of school are vulnerable to the worst forms of child labor. Sources also indicate that some Roma children face discrimination by some teachers and peers; travel long distances to schools; and are unable to afford school supplies, including clothing and food.(15, 18, 22, 24) In addition, research found that discrimination against some Roma children by school administrators has led to disproportionately high enrollment rates of Roma children in schools for children with intellectual disabilities.(25)




Children with disabilities generally face barriers to accessing education, which may make them vulnerable to child labor.(6) Although the number of school programs for children with disabilities is increasing, parents of such children often receive little support from the Government and many schools are unable to provide accommodations for their disabilities.(6)

Non-state armed groups, such as the Islamic State of Iraq and Syria (ISIS), recruited adults and their children in BiH for use in armed conflict in Syria.(26, 27)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

BiH has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

BiH is a democratic republic with a bicameral parliament. Governmental responsibility lies within the entities of the Federation of Bosnia and Herzegovina (FBiH), Republika Srpska (RS), and the self-governing Brčko District (BD).(6) The Government of BiH has established laws and regulations related to child labor, including its worst forms, at the state, entity, and district levels (Table 4). However, gaps exist in BiH's, FBiH's, RS', and BD's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Related Entity	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Federation of Bosnia and Herzegovina (FBiH)	No	15	Article 20 of the Labor Law of the Federation of Bosnia and Herzegovina (28)
	Republika Srpska (RS)	No	15	Articles 26-27 of the Labor Law of Republika Srpska (29)
	Brčko District (BD)	No	15	Article 10 of the Labor Law of Brčko District (30)
Minimum Age for Hazardous Work	FBiH	Yes	18	Article 57 of the Labor Law of the Federation of Bosnia and Herzegovina (28)
	RS	Yes	18	Articles 103 and 264 of the Labor Law of Republika Srpska (29)
	BD	Yes	18	Article 41 of the Labor Law of Brčko District (30)

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Table 4. Laws and Regulations on Child Labor (cont)

Standard	Related Entity	Meets International Standards: Yes/No	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	FBiH	Yes		Articles 42, 57, and 171 of the Labor Law of the Federation of Bosnia and Herzegovina (28)
	RS	Yes		Articles 70, 72, 103, and 264 of the Labor Law of Republika Srpska (29)
	BD	Yes		Articles 28, 41, and 111 of the Labor Law of Brčko District (30)
Prohibition of Forced Labor	Bosnia and Herzegovina (BiH)	Yes		Articles 185, 186, and 186a of the Criminal Code of Bosnia and Herzegovina; Article II of the Constitution of Bosnia and Herzegovina (31, 32)
	FBiH	No		
	RS	Yes		Article 198b of the Criminal Code of Republika Srpska (33)
	BD	Yes		Article 207 of the Criminal Code of Brčko District (34)
Prohibition of Child Trafficking	BiH	Yes		Articles 185, 186, and 186a of the Criminal Code of Bosnia and Herzegovina (32)
	FBiH	Yes		Articles 210a and 210b of the Criminal Code of the Federation of Bosnia and Herzegovina (35)
	RS	Yes		Article 198b of the Criminal Code of Republika Srpska (33)
	BD	Yes		Article 207 of the Criminal Code of Brčko District (34)
Prohibition of Commercial Sexual Exploitation of Children	BiH	Yes		Articles 186 and 187 of the Criminal Code of Bosnia and Herzegovina (32)
	FBiH	Yes		Articles 210 and 211 of the Criminal Code of the Federation of Bosnia and Herzegovina (36)
	RS	Yes		Articles 198 and 198b–200 of the Criminal Code of Republika Srpska (33)
	BD	Yes		Articles 186 and 207–209 of the Criminal Code of Brčko District (34)
Prohibition of Using Children in Illicit Activities	BiH	No		Article 195 of the Criminal Code of Bosnia and Herzegovina (32)
	FBiH	Yes		Article 219 of the Criminal Code of the Federation of Bosnia and Herzegovina (36)
	RS	Yes		Articles 198b and 224 of the Criminal Code of Republika Srpska (33)
	BD	Yes		Article 216 of the Criminal Code of Brčko District (34)
Minimum Age for Military Recruitment				
State Compulsory	BiH, FBiH, RS, BD	N/A*		Article 9 of the Law on the Service in the Armed Forces of Bosnia and Herzegovina (37)
State Voluntary	BiH, FBiH, RS, BD	Yes	18	Article 9 of the Law on the Service in the Armed forces of Bosnia and Herzegovina (37)
Non-state Compulsory	BiH	No		Article 173(e) of the Criminal Code of Bosnia and Herzegovina (32)
	FBiH	No		
	RS	No		
	BD	No		

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Related Entity	Meets International Standards: Yes/No	Age	Legislation
Compulsory Education Age	FBiH	Yes	15 [‡]	Article 16 of the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (38)
	RS	Yes	15	Article 3 of the Law on Primary Education of Republika Srpska; Article 16 of the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (38-39)
	BD	Yes	15	Article 55 of the Law on Education in Primary and Secondary Schools in the Brčko District; Article 16 of the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (38, 40)
Free Public Education	FBiH/RS/BD	Yes		Article 16 of the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (38)

* No conscription (39)

‡ Age calculated based on available information (38)

In 2016, FBiH amended its Criminal Code to add a criminal prohibition on trafficking in persons in line with international standards.(31, 35) The Criminal Codes of BiH, FBiH, RS, and BD prohibit the incitement to prostitution, forced prostitution, and turning a person over to a third party for the purpose of prostitution.

Laws related to illicit activities in BiH are not sufficient because the use, procuring, and offering of children for the production and trafficking of drugs is not criminally prohibited. Also, minimum age protections in the FBiH, RS, and BD labor codes do not apply to children who are self-employed or working outside of formal employment relationships.(28-30) Therefore, most children engaged in street work, the most common form of child labor, are not protected by the law.(1-5, 21, 28-30) In addition, BiH, FBiH, RS, and BD do not have laws that prohibit the recruitment of children by non-state armed groups and children are punished for their association with armed groups.(11, 32-34, 36) Finally, the types of hazardous work prohibited for children do not include begging, an area of work where there is evidence of associated dangers.(42-44)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
FBiH Ministry of Labor and Social Policy Federal Inspection Agency and Cantonal-Level Labor Inspectorates	Enforce labor laws, including those on child labor, in FBiH.(5, 45, 46)
RS Ministry of Labor and Veterans Labor Inspectorate	Enforce labor laws, including those on child labor, in RS.(5, 46)
BD Administrative Support Department	Enforce labor laws, including those on child labor, in BD.(5)
Entity and Cantonal-Level Police	Enforce criminal laws against human trafficking, forced labor, prostitution, and begging.(47)
Ministry of Security	Enforce national policy to prevent the worst forms of child labor. Collect data on human trafficking.(45) Ensure that victims are placed in Government-approved shelters.(45)
State Investigative and Protection Agency (SIPA) and State Border Police (SBP)	Investigate human trafficking crimes and enforce anti-trafficking laws across the entire country (SIPA).(45, 47) Identify victims of human trafficking at the border (SBP).
State, Entity, and FBiH Cantonal-Level Prosecutors' Offices	Prosecute human trafficking, forced labor, enticement to prostitution, and forced begging cases at their respective levels, based on applicable laws.(45, 47)

Labor Law Enforcement

In 2016, labor law enforcement agencies in BiH took actions to combat child labor, including its worst forms (Table 6).

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Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement		2015	2016
Labor Inspectorate Funding	FBiH/RS/BD	Unknown* (5)	Unknown (13)
Number of Labor Inspectors	FBiH	78 (5)	39 (48)
	RS	36 (5)	35 (48)
	BD	7 (5)	4 (48)
Inspectorate Authorized to Assess Penalties	FBiH/RS/BD	Yes (5)	Yes (13)
Training for Labor Inspectors	FBiH/RS/BD		
Initial Training for New Employees		Unknown	No (13)
Training on New Laws Related to Child Labor		Unknown	No (13)
Refresher Courses Provided		Unknown	No (13)
Number of Labor Inspections	FBiH/RS/BD	Unknown	Unknown (13)
		Unknown	Unknown (13)
		Unknown	Unknown (13)
Number of Child Labor Violations Found	FBiH/RS/BD	0 (5)	0 (13)
		N/A	0 (13)
		N/A	0 (13)
Routine Inspections Conducted	FBiH/RS	Yes (5)	Yes (13)
	BD	Unknown	Yes (13)
Routine Inspections Targeted	FBiH/RS/BD	Unknown	Yes (13)
Unannounced Inspections Permitted	FBiH/RS/BD	Yes (5)	Yes (13)
Unannounced Inspections Conducted	FBiH/RS/BD	Yes (5)	Yes (13)
Complaint Mechanism Exists	FBiH/RS/BD	No (5)	Yes (13)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	FBiH/RS/BD	No (45)	Yes (13)

* The Government does not publish this information.

In 2016, all three entity-level ministries reported that they possessed sufficient resources for inspections and labor inspectors were adequately trained through seminars and internal instruction on how to detect child labor violations.(13, 49) The labor inspectors have a quarterly plan for inspections.(48) A complaint mechanism exists in all entities. Each market inspectorate has a mechanism for receiving online complaints.(48) All three labor inspectorates are authorized to inspect any formal sector site without receiving prior approval; approximately 30 percent of these inspections conducted in 2016 were unannounced.(13) Inspectors who find violations of the child labor law are permitted to assess administrative penalties or issue fines.(5) In 2016, no violations of child labor laws were found in the entities. Forced begging is pursued by entity-level police and state-level prosecutors, although labor inspectors do not have jurisdiction to investigate such cases.(13)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in BiH took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement		2015	2016
Training for Investigators			
Initial Training for New Employees	BiH/FBiH/RS/BD	Yes (12)	Yes (13)
Training on New Laws Related to the Worst Forms of Child Labor	BiH/FBiH/RS/BD	Unknown	Unknown
Refresher Courses Provided	BiH/FBiH/RS/BD	Yes (50)	Yes (14)
Number of Investigations	BiH	1 (12)	Unknown (13)
	FBiH/RS/BD	Unknown	Unknown (13)
Number of Violations Found	BiH/FBiH/RS/BD	16 (12, 51)	10 (14)
Number of Prosecutions Initiated	BiH	8 (12)	Unknown (13)
	FBiH/RS/BD	Unknown	Unknown (13)

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor (cont)

Overview of Criminal Law Enforcement		2015	2016
Number of Convictions	BiH	1 (12)	Unknown (13)
	FBiH/RS/BD	Unknown	Unknown (13)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	BiH/FBiH/RS/BD	Yes (5)	Yes (13)

In 2016, in cooperation with the State Coordinator for Combating Trafficking in Persons and the entity level Judicial and Prosecutorial Centers, the OSCE provided trainings for judges and prosecutors on human trafficking for labor exploitation, processing human trafficking cases, and interviewing child trafficking victims in a sensitive manner.(14) The Government continued to train police officers, inspectors, and investigators on human trafficking at its police academies.(12, 14) The Criminal Policy Research Center and the OSCE Mission in BiH organized two multidisciplinary trainings for 85 labor inspectors on human trafficking identification.(14) However, the State Coordinator acknowledged that there was a lack of recognition of forced begging and forced labor cases.(14)

Police refer children detained for begging to appropriate social service providers. NGOs receive funding from either the Ministry of Security or the Ministry for Human Rights and Refugees to provide shelter to these children.(5) However, law enforcement personnel and prosecutors often are unwilling to pursue investigations and prosecutions against parents involved in the trafficking of their children, particularly for forced labor, and the shelters subsequently return the children to the parents who trafficked them.(13)

Furthermore, a government official acknowledged that, although judges and prosecutors receive some basic training on human trafficking through the Agency for Education and Training, additional training is needed, particularly on how to properly prosecute cases involving child begging as a result of human trafficking.(25, 49, 52)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established the Department of the State Coordinator for Combating Trafficking in Persons, research found no evidence of mechanisms to coordinate its efforts to address other forms of child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Department of the State Coordinator for Combating Trafficking in Persons (State Coordinator) within the Ministry of Security (MOS)	Coordinate human trafficking victim protection efforts among relevant ministries at the entity level, and among prosecutors at the state, entity, and local levels, as well as with NGOs.(12, 53) Oversee the human trafficking database, which includes data from NGOs, SIPA, SBP, and police agencies and Prosecutors' Offices at all levels.(47) Publish data from this database in its annual report on trafficking.(12) Oversee shelter management and monitor NGOs' compliance with the agreed-upon provisions on victims' assistance.(47)
Strike Force for Combating Trafficking in Persons and Organized Illegal Migration (Anti-Trafficking Strike Force)	Coordinate human trafficking investigations across government agencies.(12) Convene once a month, with additional meetings scheduled as needed.(11, 12, 14, 52) Chaired by the Chief State Prosecutor, includes BiH, FBiH, RS, and BD ministries and agencies.(12, 45) In 2016, it began drafting an action plan to protect children from pornography and internet child exploitation.(14)
Inter-Ministerial Working Group	Monitor implementation of the Strategy to Counter Trafficking in Human Beings (TIP Strategy), the corresponding Action Plan, and the National Referral Mechanism.(12, 54) Comprises appointed representatives from the state and entity governments, including labor inspectors and elected representatives from NGOs.(3)
Regional Monitoring Teams	Facilitate coordination among state, entity, and cantonal-level institutions, as well as between NGOs and intergovernmental organizations.(12, 51) In 2016, implemented activities in the national TIP Strategy, Action Plan, and National Referral Mechanism.(14) Labor inspectors were incorporated into the regional monitoring teams in 2016.
Council for Children	Coordinates children's issues among state-level agencies and institutions under the Action Plan for Children of BiH.(55, 56)

Research found no evidence of mechanisms to coordinate efforts to address child labor that does not involve trafficking, including its worst forms. A source also indicated the need for the Regional Monitoring Teams to increase their coordination efforts regarding the referral and protection of human trafficking victims.(12, 25)

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V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of BiH has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Counter Trafficking (2016–2019)	Mandates that the Government provide assistance to human trafficking victims, efficiently prosecute trafficking crimes, prevent trafficking in persons, and strengthen collaboration and coordination among stakeholders involved in combating human trafficking in BiH.(12, 57)
Action Plan for Children of BiH (2015–2018)	Designed to take a multidisciplinary approach that aims to continue improving the Government’s efforts to protect children’s rights.(58)
Action Plan for Solving Problems of the Roma in the Fields of Employment, Housing, and Healthcare (2013–2016)	Aimed to improve the socioeconomic status and social inclusion of Roma. Joint initiative of 12 European countries.(5, 59)
Policy for the Protection of Children Deprived of Parental Care and Families at Risk of Separation in FBiH (2006–2016) and Action Plan (2013–2016)	Called for the development of social protection systems to provide sufficient protection to children without parental care and children separated from their parents.(7)
Council of Europe Action Plan for BiH (2015–2017)	Outlines a comprehensive strategy for cooperative efforts between the Government and the Council of Europe. Includes components designed to increase inclusive education and decrease discrimination against Roma.(60)

Although the Government of BiH has adopted the National Action Plan to Counter Trafficking and the Action Plan for Child Protection and Prevention of Violence Against Children through Information-Communications Technologies, research found no evidence of an overall policy to combat child labor or the worst forms of child labor, including commercial sexual exploitation, forced labor, or illicit activities.(3, 5, 12, 61) Research was unable to determine whether activities were undertaken to implement the Action Plan for Solving Problems of the Roma in the Fields of Employment, Housing, and Healthcare, Policy for the Protection of Children Deprived of Parental Care and Families at Risk of Separation in FBiH, and the Council of Europe Action Plan for BiH.

Sources also have indicated that the Government has not allocated adequate financial resources for effective implementation of inclusive education initiatives.(24, 62-64)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government of BiH funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
Registration Project	UNHCR-funded project, implemented by NGO <i>Vasa Prava</i> , which promotes the registration of Roma people to increase their access to social benefits and schools.(12, 45, 65) Helped 1,300 Roma individuals register for citizenship and enabled 19,000 individuals to apply for social inclusion programs since its initiation in July 2009.(55, 66) In 2016, the Government confirmed the citizenship of 20 individuals.(14)
Daily Centers and Crisis Centers [†]	Center for Social Welfare-supported and NGO-operated day care centers in nine locations across the country for vulnerable children, especially street children.(54, 55) Provide direct assistance for children, including educational activities, counseling, food, and hygiene.(2, 19) In four locations, NGOs also maintain Crisis Centers to provide protection to children found in exploitative labor situations who need emergency access to accommodation and social services.(16) In 2016, 28 children were identified as potential trafficking victims by the centers and were provided assistance.(14)
Assistance for Trafficking Victims [†]	Government program that allocates small grants to local NGOs for the provision of shelter and social services to victims of human trafficking. In 2016, the Ministry of Human Rights and Refugees distributed \$32,327 to assist domestic victims, \$37,716 to assist foreign victims, and \$5,500 for European Anti-Trafficking Day.(14) Services include counseling, educational assistance and job training for domestic victims, and visa and legal services for foreign victims of human trafficking.(49)

Table 10. Key Social Programs to Address Child Labor[†] (cont)

Program	Description
Fight Against Trafficking in Human Beings and Organized Crime—Phase 2 (2014–2017)	EU-funded project implemented by the International Center for Migration Policy Development in six countries, including BiH. Aims to build the capacity of participating governments to prevent human trafficking by providing policy, legal, and technical assistance.(67) Focuses on improving victim identification, increasing the prosecution of traffickers, and strengthening coordination among stakeholders.(67)
UNICEF Country Program (2015–2019)	UNICEF-funded program. Aims to reduce child poverty and enhance child protection and inclusive education. The Program also aims to create inclusive early education for Roma children, as well as identify gaps in access to education for Roma children and children with disabilities.(68)
United Nations Program and Common Budgetary Framework (2015–2019)	UN funded project implemented by UN-affiliated implementing partners. Goals include inclusive education for Roma children and children with disabilities, as well as social protection for vulnerable individuals.(69)

[†] Program is funded by the Government of BiH.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(14)

Research was unable to determine whether activities were undertaken to implement the Fight Against Trafficking in Human Beings and Organized Crime – Phase 2, the UNICEF Country Program, and the United Nations Program and Common Budgetary Framework.

As labor inspectors do not have a mandate to inspect informal work on the streets, staff from Daily Centers are often the first to identify children engaged in hazardous street work. Sarajevo’s Center for Social Welfare’s Mobile Team engages in daily outreach to children on the streets and to families in vulnerable communities.(4, 14) The Mobile Team staff stated, however, that they lack sufficient resources for their work, especially reliable transportation.(2, 25) Government support for outreach to street children in areas outside of Sarajevo varies significantly. Although the majority of Daily Centers collaborate with local Centers for Social Welfare, most Daily Centers are not institutionalized and, therefore, lack consistent financial and technical support.(16, 25) This may limit the ability of Daily Centers to identify and assist children working on the streets. Although the Government provides some social services for low-income families through the Center for Social Welfare, many families do not receive enough assistance to reduce their reliance on child labor, especially begging, as a source of income.(2)

Government officials noted that, although the number of domestic human trafficking victims identified in BiH is significantly higher than the number of foreign human trafficking victims identified, government funding is disproportionately allocated to assist foreigners.(14) As a result, some organizations that provide services to victims of domestic human trafficking may lack adequate financial resources.(3, 14, 25, 56) In addition, research found that most NGOs rely exclusively on grant funding from foreign donors. Their capacities have diminished as foreign assistance to NGOs has declined, creating obstacles for continued implementation of their programs.(14)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in BiH (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all children are protected by labor law, including those who work in the informal sector, such as children engaged in street work.	2015 – 2016
	Ensure that BiH law prohibits the use of children in illicit activities, including using, procuring, and offering children for the production and trafficking of drugs.	2015 – 2016
	Ensure that the laws criminally prohibit the recruitment of children under 18 by non-state armed groups, and that children are not punished for engagement in non-state armed groups.	2016
	Include child begging in the list of hazardous occupations prohibited for children for all entities.	2016

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Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Collect and publish information on labor law enforcement efforts, including labor inspectorate funding, the training labor inspectors receive, and the number of labor inspections.	2015 – 2016
	Collect and publish data on the number of child labor investigations, as well as the number of individuals prosecuted, convicted, and sentenced for crimes related to human trafficking, and commercial sexual exploitation, disaggregated by the age and sex of the victim, in FBiH, RS, and BD.	2013 – 2016
	Ensure that all children identified as being engaged in child labor are referred to appropriate social services.	2013 – 2016
	Increase training for law enforcement prosecutors and judges on how to properly apply criminal law in cases of child labor trafficking, forced labor, and forced begging.	2014 – 2016
Coordination	Establish coordinating mechanisms to combat child labor, including its worst forms.	2009 – 2016
	Improve coordination among Regional Monitoring Teams on the referral and protection of human trafficking victims.	2016
Government Policies	Integrate child labor prevention and elimination strategies into new and existing policies.	2009 – 2016
	Adopt a policy designed to address child labor and its worst forms, other than child trafficking, including commercial sexual exploitation, forced labor, and illicit activities.	2015 – 2016
	Ensure that all government policies fulfill their mandate, including the Action Plan for Solving Problems of the Roma in the Fields of Employment, Housing, and Healthcare; Policy for the Protection of Children Deprived of Parental Care and Families at Risk of Separation in FBiH; and the Council of Europe Action Plan for BiH.	2016
	Expand and provide adequate funding for existing programs aimed at improving access to education for Roma children and implementing the commitments to include Roma in society by providing for basic needs.	2010 – 2016
Social Programs	Collect data on children involved in the worst forms of child labor in order to enhance policymakers' ability to identify problems more accurately and to address them more effectively.	2009 – 2016
	Promote inclusive education for minority children, including Roma, by expanding efforts to reduce discrimination in schools, mitigate the costs associated with education, and assist Roma and other families at risk of statelessness to register for citizenship documentation that entitles their children to access school.	2011 – 2016
	Ensure inclusive education for children with disabilities by ensuring that schools have adequate resources to provide the necessary accommodations for them.	2015 – 2016
	Ensure that all social programs fulfill their mandate, including the Fight Against Trafficking in Human Beings and Organized Crime – Phase 2; the UNICEF Country Program; and the United Nations Program and Common Budgetary Framework.	2016
	Institutionalize and provide sufficient funding for Daily Centers to ensure that they have the resources and technical support necessary to assist children involved in child labor and those who are at risk of involvement.	2014 – 2016
	Strengthen social protection programs that provide support to economically vulnerable families in order to reduce their reliance on child labor.	2014 – 2016
	Ensure that resources for human trafficking victims are sufficient to meet the needs of domestic victims.	2014 – 2016
	Increase funding for programs that provide social services, including housing, for child trafficking victims.	2015 – 2016

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In 2016, Botswana made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government's Orphan Care Program provided 29,828 orphans with meals and subsidized the cost of school. In addition, the Government continued its Stay-in-School Program, which trains teachers and social workers on how to talk to parents about the importance of education. However, children in Botswana perform dangerous tasks in cattle herding. Key gaps remain in the country's legal framework, including the lack of minimum age for compulsory education and insufficient prohibitions for hazardous work. In addition, social programs do not always reach intended child labor victims, especially those engaged in domestic work and cattle herding.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Botswana perform dangerous tasks in cattle herding.(1-3) Table 1 provides key indicators on children's work and education in Botswana. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	5 to 14	Unavailable
Primary Completion Rate (%)		99.7

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2016.(4)
Data were unavailable from Understanding Children's Work Project's analysis, 2016.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, activities unknown (3, 6, 7)
	Herding cattle (1-3, 8-10)
Services	Street work, including vending (1)
	Domestic work (1, 3, 9, 10)
	Work in informal bars, activities unknown (10)
	Truck driver assistance, including unloading goods (11)
	Work outside supermarkets, including carrying bags for customers (11)
Categorical Worst Forms of Child Labor [‡]	Forced labor in herding cattle and domestic work, each sometimes as a result of human trafficking (9, 10)
	Commercial sexual exploitation, sometimes as a result of human trafficking (8, 10)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Children in Botswana are possibly trafficked within the country for commercial sexual exploitation along major highways by truck drivers.(10) Two NGOs reported that children are engaged in cattle herding in remote rural villages, especially among the San population.(2, 8) UNICEF data published in 2016 reported that 9 percent of children in Botswana are engaged in child labor.(12)

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Primary education is free, and poor families receive free meals, toiletries, and school uniforms.(6, 13) Secondary school costs between \$38 and \$43 per year; however, poor families may receive a tuition exemption.(13, 14) According to UNICEF, 16 percent of children of primary school age are not attending school.(12) The Government has yet to collect and publish child labor data to inform policies and social programs.

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Botswana has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Botswana's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	15	Articles 2 and 107 of the Employment Act (15)
Minimum Age for Hazardous Work	Yes	18	Articles 2 and 110 of the Employment Act (15)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 2 and 108 of the Employment Act; Section 24 of the Children's Act (15, 16)
Prohibition of Forced Labor	Yes		Articles 2 and 71 of the Employment Act; Articles 175 and 262 of the Penal Code; Section 114 of the Children's Act; Articles 9 and 10 of the Anti-Human Trafficking Act (15-18)
Prohibition of Child Trafficking	Yes		Article 175 of the Penal Code; Section 114 of the Children's Act; Articles 9 and 10 of the Anti-Human Trafficking Act (16-18)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 25 and 57–59 of the Children's Act (16)
Prohibition of Using Children in Illicit Activities	Yes		Section 60 of the Children's Act (16)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Section 17 of the Botswana Defence Force Act (19)
Non-state Compulsory	Yes	18	Section 26(2) of the Children's Act (16)
Compulsory Education Age	No		
Free Public Education	Yes		Revised National Policy in Education, White Paper No. 12 of 1994; Section 18 of the Children's Act (16, 20)

* No conscription (21)

Under Botswanan law, children working without a contract do not benefit from minimum age protections. Although the Employment Act allows children at age 14 to conduct light work activities, the Government has yet to determine the types of light work activities permitted for children.(22) In addition, the Employment Act prohibits night work and hazardous underground work for children but fails to prohibit other types of hazardous work, including work with dangerous machinery, equipment, and tools.(15) Although the Government has made efforts to compile a comprehensive list of hazardous occupations in recent years, the list has yet to be approved.(23-25)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Home Affairs	Enforce child labor laws and policies. In the case of the Commissioner of Labor, authorized by the Employment Act to conduct labor inspections.(6, 15, 23) Facilitate coordination with local leaders and law enforcement officers; posts labor inspectors to District Council offices to carry out their duties.(26)
District and Municipal Council Child Welfare Divisions	Enforce child labor laws at the local levels.(6) Met quarterly during the year.(27)
Botswana Police Service	Investigate cases of the worst forms of child labor, including commercial sexual exploitation of children and child trafficking.(3)
Ministry of Defense, Justice, and Security (MDJS)	Monitor suspected human trafficking cases and lead the Human Trafficking (Prohibition) Committee.(28, 29)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Botswana took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown* (26)	\$46,000 (30)
Number of Labor Inspectors	Unknown* (26)	108 (30)
Inspectorate Authorized to Assess Penalties	No (3)	No (3)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown* (26)	Unknown (3)
Training on New Laws Related to Child Labor	Unknown* (26)	Unknown (3)
Refresher Courses Provided	No (26)	Unknown (3)
Number of Labor Inspections	250+ (26)	4,999 [‡] (3)
Number Conducted at Worksite	250+ (26)	4,999 [‡] (3)
Number Conducted by Desk Reviews	Unknown* (26)	Unknown (3)
Number of Child Labor Violations Found	0 (26)	Unknown (3)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (26)	Unknown (3)
Number of Penalties Imposed That Were Collected	N/A (26)	Unknown (3)
Routine Inspections Conducted	Yes (26)	Yes (3)
Routine Inspections Targeted	Yes (26)	Yes (3)
Unannounced Inspections Permitted	Yes (26)	Yes (3)
Unannounced Inspections Conducted	Yes (26)	Yes (3)
Complaint Mechanism Exists	Yes (26)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (26)	Yes (3)

* The Government does not publish this information.

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Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Botswana took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown* (26)	N/A (3)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (31)	Yes (3)
Refresher Courses Provided	Yes (31)	Yes (3)
Number of Investigations	Unknown* (26)	9 (3)
Number of Violations Found	Unknown* (26)	14 (3)
Number of Prosecutions Initiated	Unknown* (26)	14 (3)
Number of Convictions	Unknown* (26)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (26)	Yes (3)

* The Government does not publish this information.

In 2016, the Botswana Police Service launched an investigation into the sex worker population at the Kazungula border with Zambia and Zimbabwe for possible victims of human trafficking; no human trafficking cases were found.(29) The Ministry of Defense, Justice, and Security (MDJS) contributed to training and workshops on human trafficking with religious groups, students, and recruitment agencies. In September, MDJS hosted a session at Materspei College to educate students about the dangers of human trafficking and methods that transnational criminals use to lure victims, including via cybercrime.(32) Reports indicate that police are sometimes insensitive when handling cases of violence against women and children and lack investigative training to identify, prosecute, and prevent human trafficking violations.(24, 28, 33)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Human Trafficking (Prohibition) Committee	Establish a reporting and referral mechanism for children subjected to human trafficking. Created by the 2014 Anti-Human Trafficking Bill and led by the MDJS.(1) Met during the year to develop a draft Human Trafficking National Action Plan.(29)
Advisory Committee on Child Labor	Oversee child labor issues and report to the Government three to four times per year. Includes representatives from government agencies, various NGOs, worker federations, and employer organizations.(3, 11, 23)
Child Labor Committees	Identify child laborers at the village level. Includes social workers; school teachers; members of the Village Development Committees, which are local government structures; labor inspectors; and community leaders, including chiefs and priests.(3, 13)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[†]

Policy	Description
National Action Plan on the Elimination of the Worst Kinds of Child Labor	Outlines the Government's plan to address child labor through legislation and policy and includes awareness-raising programs and training on child labor and its worst forms for relevant stakeholders and implementers.(1)
Ministry of Labor and Home Affairs Sustainability Plan	Aims to incorporate addressing child labor issues into the regular duties of labor inspectors. Calls on local leaders and volunteers to identify and refer cases of child labor to social workers and school teachers to monitor attendance and promote retention.(34)

Table 9. Key Policies Related to Child Labor[‡] (cont)

Policy	Description
Ministry and Department Action Plans	Includes plans to address child labor through the Ministry of Education, the Ministry of Gender and Child Welfare, the Department of Social Services, and the Police.(35) Contains implementation strategies that aim to improve the safety and protection of children and to identify and help vulnerable children in need.(35)

‡ The Government had other policies that may have addressed child labor issues or had an impact on child labor.(36, 37)

Child labor elimination and prevention strategies are not included in the following policies: National Plan of Action for Orphans and Vulnerable Children, Botswana National Youth Policy, and National Action Plan for Youth.(13, 38-40) In December, the Government approved spending under National Development Plan 11 to address human trafficking by setting up mechanisms to protect the interests of witnesses and victims.(41)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
Government-Funded Programs to Combat Child Labor [†]	NGO-run shelters, with financial support from the Government, that caters to human trafficking victims, including children. The Kagisano Society Women's Shelter that provides temporary shelter to women; in 2016, provided care to four girls who were victims of commercial sexual exploitation. Stay-in-School Program trains teachers and social workers to communicate with parents about the importance of education. National School Feeding Program focuses on providing meals to children (grades 1–7) in all public primary schools in the country, serving over 330,000 school children and Remote Area Dweller Program provides a second meal to schoolchildren in remote, marginalized communities. Orphan Care Program provides orphans with meals and subsidizes the cost of school fees and transportation costs. In 2016, President Khama said 29,828 orphans received aid monthly under the program.(6, 29, 42)

† Program is funded by the Government of Botswana.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(43-45)

Although Botswana has programs that target child labor, the scope of these programs does not always reach the intended targets, especially in domestic work and cattle herding in which children have been found working.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Botswana (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2016
	Ensure that the law prohibits hazardous work for children younger than age 18 in all relevant sectors, including in agriculture.	2009 – 2016
	Ensure that the law's minimum age protections apply to children working without a contract.	2010 – 2016
	Establish a compulsory education age equal to or higher than the minimum age of employment.	2010 – 2016
Enforcement	Publish information about the labor inspectorate's training of labor inspectors on child labor issues, the amount of labor violations found and penalties imposed, and the number of convictions related to the worst forms of child labor.	2016
	Authorize labor inspectors to assess penalties for child labor violations.	2016
Government Policies	Integrate child labor elimination and prevention strategies into the existing youth policies.	2011 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Social Programs	Collect and publish data on child labor, including its worst forms, to inform policies and programs.	2013 – 2016
	Develop programs to address child labor in domestic work and cattle herding.	2012 – 2016

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In 2016, Brazil made a significant advancement in efforts to eliminate the worst forms of child labor. The Government approved a new anti-trafficking in persons law that criminalizes child trafficking for labor and sexual exploitation; adopted a Federal Pact for the Eradication of Forced Labor to strengthen the implementation of forced labor policies at the state level and increase information sharing and interagency coordination; and established a national coordination body to collect data on forced labor and human trafficking cases. Criminal law enforcement officials initiated 950 cyber investigations on the commercial sexual exploitation of children. In addition, the Government developed a monitoring system for the National Program to Eradicate Child Labor, allowing state and municipal governments to track program targets. However, children are engaged in the worst forms of child labor, including in the production of coffee and in commercial sexual exploitation. There are not enough labor inspectors to provide sufficient coverage of the workforce, and there is a lack of specialized shelters for child victims of commercial sexual exploitation.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

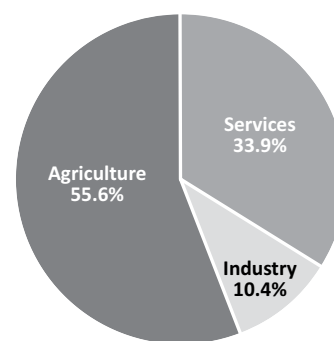
Children in Brazil engage in the worst forms of child labor, including in the production of coffee and commercial sexual exploitation.(1-5) In 2016, the Government released the 2015 National Household Survey results, which found 412,000 children, ages 5 to 13, working in Brazil, a 25.6 percent decrease from 2014. The study also found that 65 percent of child laborers ages 5 to 13 work in agriculture.(6) Table 1 provides key indicators on children's work and education in Brazil.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	2.9 (897,018)
Attending School (%)	5 to 14	97.8
Combining Work and School (%)	7 to 14	3.4
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2016.(7)
Source for all other data: Understanding Children's Work Project's analysis of statistics from Pesquisa Nacional por Amostra de Domicílios (PNAD), 2014.(8)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of apples, citrus,† coffee, corn, cotton,† manioc, manioc flour,† mate tea, pepper,† pineapple,† potatoes, rice, sisal,† sugarcane,† and tobacco;† processing cashews;† and extracting carnauba palm leaves (4, 5, 9-19)
	Cattle ranching and raising livestock (14, 20)
	Harvesting mollusks† (21, 22)
	Forestry, including logging† and charcoal production† (15, 16, 23)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Industry	Slaughtering animals,† including for beef production (12, 15, 24, 25)
	Production of ceramics† and bricks† (12, 15, 16, 26)
	Production of garments and footwear† (13, 14, 16, 27-30)
	Work in quarries† (31)
Services	Street work,† including begging, vending,† and garbage scavenging† (1, 12, 32-34)
	Washing and repairing automobiles, tractors, and machines (12, 15, 35)
	Work in markets and fairs, including hauling fruits and vegetables and transporting heavy loads (12, 25, 28, 35-38)
	Work in fast food establishments (39)
	Selling alcoholic beverages† (13, 15, 38)
	Artistic work and playing in soccer clubs (14, 40-42)
	Domestic work† (13, 32, 38, 43)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-3, 33, 34, 44)
	Domestic work, begging, and playing in soccer clubs, each sometimes as a result of human trafficking (1, 45)
	Use by gangs to perform illicit activities, including drug trafficking, sometimes as a result of human trafficking (1, 32, 33, 38, 46)
	Forced labor in agriculture, including in coffee and manioc (4, 5, 9, 33)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

In Brazil, child trafficking is a problem, especially in border areas. Brazilian and Paraguayan indigenous children are trafficked for domestic work. Paraguayan indigenous children are trafficked for the purpose of begging. Adolescents, including some from Haiti and South Korea, are trafficked to play in soccer clubs.(1)




While the overall scope and magnitude of the commercial sexual exploitation of children is unknown, the Government acknowledges that it occurs throughout Brazil, with higher rates reported in the North and Northeast regions.(43, 47) Child sex tourism is particularly common in tourist and coastal areas.(43)

In 2016, the Government closed schools in some rural areas, causing students to travel great distances to access education and making them vulnerable to school drop-out.(48) There are low levels of birth registration among indigenous children, which may affect their ability to access education as birth registration documents are often necessary for school enrollment.(33, 49)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Brazil has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Brazil’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Article 403 of the Labor Code (50)
Minimum Age for Hazardous Work	Yes	18	Article 2 of the Hazardous Work List (51)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Work List (51)
Prohibition of Forced Labor	Yes		Articles 149 and 149-A of the Penal Code (52, 53)
Prohibition of Child Trafficking	No		Article 149-A of the Penal Code; Article 244A of the Child and Adolescent Statute (53, 54)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 218-A, 218-B, 227, and 228 of the Penal Code; Articles 240, 241, and 244A of the Child and Adolescent Statute (52, 54)
Prohibition of Using Children in Illicit Activities	Yes		Articles 33 and 40 of the National System of Public Policies on Drugs; Article 244-B of the Child and Adolescent Statute (54, 55)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Article 5 of the Military Service Law (56)
State Voluntary	Yes	17	Article 127 of the Military Service Regulation (57)
Non-State Compulsory	No		
Compulsory Education Age	Yes	17	Article 4 of the National Education Law (58)
Free Public Education	Yes		Article 4 of the National Education Law (58)

In October 2016, the Government passed a new anti-trafficking in persons law which criminalizes human trafficking for labor and sexual exploitation, and increases minimum sentences for human trafficking crimes.(53) However, the prohibitions against child trafficking for labor exploitation are insufficient because they require threats, the use of force, or coercion to be established for the crime of child trafficking.

In December 2016, the municipal government of São Paulo passed Law 16.606, establishing a fine of \$32,000 to \$32 million for establishments complicit in forced labor. In extremely serious cases, when a fine is not paid, or for recurrent offenses, the law provides for the cancellation of the operating license of the establishment and the guilty party is barred from obtaining a new business license for 5 to 10 years.(59) The Senate's Constitution, Justice, and Citizenship Committee approved a bill which criminalizes any attempt to hire a child under age 14 for economic gain; the bill awaits approval from the Chamber of Deputies and President.(60) The Government also passed an inter-ministerial ordinance which updates the criteria for entry and removal from the register of employers caught with forced labor, known as the "*Lista Suja*" or "Dirty List".(61) The List, which the Government had not issued since 2014, was published in March 2017 after a legal battle over its release. Although the initial listing contained 85 businesses, 17 were removed shortly after its publication.(62) According to the Ministry of Labor and Social Security, these businesses were removed because they were still appealing their inclusion on the List. The Federal Labor Prosecutor's Office has asked the Ministry of Labor and Social Security for a more detailed explanation regarding the removals.(63)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/ Agency	Role
Ministry of Labor and Social Security	Conduct labor inspections and enforce child and forced labor laws.(28) The central labor inspection unit develops and proposes guidelines for the annual work plan while 27 decentralized regional units implement labor inspection activities.(64) Additional mobile inspection units, located in every region, conduct inspections where forced labor, including forced child labor, is suspected.(14, 65) Mobile inspection units comprise labor inspectors, labor prosecutors, Federal Police officers, and other law enforcement officials.(14)

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Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/ Agency	Role
Federal Labor Prosecutor's Office	Prosecute child labor and forced labor violations by working with prosecutors from the National Committee to Combat Child and Adolescent Labor, an in-house body that coordinates efforts to combat child labor. Collects fines for forced labor violations and allocates funds for initiatives that address child labor and forced labor.(66)
Federal Police	Investigate some cases of forced labor, human trafficking, and commercial sexual exploitation of children.(28) Maintain a database to track cases of human trafficking for sexual exploitation.(14)
Federal Public Ministry	Investigate and prosecute cases of forced labor and human trafficking.(67)
Ministry of Justice	Lead efforts to combat human trafficking and oversee Advanced Posts (<i>Postos Avançados</i>) and state-run Anti-Trafficking Coordination Centers (<i>Núcleos de Enfrentamento</i>). Advanced Posts (<i>Postos Avançados</i>) identify human traffickers and potential victims in high-transit areas, including airports and bus stations. There are 19 posts in areas with historically high rates of human trafficking.(68) Provide guidance to federal, state, and local government officials on referrals for victims of human trafficking, including to Anti-Trafficking Coordination Centers (<i>Núcleos de Enfrentamento</i>), Specialized Social Assistance Reference Centers, and NGOs.(68) The Secretariat for Human Rights coordinates efforts to protect human rights, including combating forced labor and commercial sexual exploitation. Sponsor Dial 100, a human rights violation hotline that directs child labor complaints to appropriate institutions for follow-up.(28, 69-72)
Federal Highway Police	Identify areas at high risk of commercial sexual exploitation.(73)

In 2016, two labor inspector strikes spanned a total of 8 months, which may have impacted the Government's ability to enforce child labor laws. According to the labor inspector union, the strikes were a result of alleged low pay, little opportunity for career advancement, heavy workload, and lack of adequate security during enforcement activities in remote regions.(74) In December 2016, the Government approved an increase in government employees' salaries, including labor inspectors.(75)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Brazil took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$809,345 (65)	Unknown
Number of Labor Inspectors	2,545 (76)	2,525 (75)
Number of Child Labor Dedicated Inspectors	Unknown	Unknown
Inspectorate Authorized to Assess Penalties	Yes (14)	Yes (75)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (14)	N/A
Training on New Laws Related to Child Labor	N/A	Yes (75)
Refresher Courses Provided	Yes (65)	Yes (75)
Number of Labor Inspections	355,740 (76)	Unknown
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	7,200 (77)	2,496 (20)
Number of Child Labor Violations for Which Penalties Were Imposed	53 (14)	Unknown
Number of Penalties Imposed that Were Collected	Unknown (14)	Unknown
Routine Inspections Conducted	Yes (14)	Yes (75)
Routine Inspections Targeted	Yes (65)	Yes (75)
Unannounced Inspections Permitted	Yes (14)	Yes (75)
Unannounced Inspections Conducted	Yes (65)	Yes (75)
Complaint Mechanism Exists	Yes (14)	Yes (75)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (14)	Yes (75)

During the reporting period, the labor inspectorate had a budget of \$186,911 for child labor inspections.(20) The number of labor inspectors is insufficient for the size of Brazil's workforce, which includes over 110 million workers. According to the ILO's

recommendation of 1 inspector for every 15,000 workers in industrializing economies, Brazil should employ roughly 7,360 labor inspectors.(78-80)

In 2016, the Government conducted 5,376 child labor inspections, a decrease from 7,263 inspections in 2015.(14, 20) The states with the most cases of child labor violations include Minas Gerais, Mato Grosso do Sul, Paraná, and Rio de Janeiro.(20)

Upon finding children in hazardous working conditions, Ministry of Labor and Social Security officials immediately remove the children and return them to their families or refer them to social service providers.(14) In 2016, inspectors removed 2,483 children who were found working in violation of the minimum age law from their workplace.(72)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Brazil took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (65)	Yes (72)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes (81)
Refresher Courses Provided	Yes (44)	Yes (75)
Number of Investigations	Unknown (44)	950 (75)
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown (44)	Unknown
Number of Convictions	Unknown (44)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (44)	Yes (75)

Although the Federal Police maintain a database to track cases of human trafficking for sexual exploitation, no mechanism is in place to record violations related to other forms of commercial sexual exploitation of children, including in prostitution and pornography.(44)

In 2016, 120 state police officers received training on the investigation of child sexual exploitation on the internet; the training led officials to initiate 950 cyber investigations.(68)

According to the Government, the judicial system does not sufficiently hold perpetrators of child labor law violations accountable, which may lead to a sense of impunity among violators.(14) Furthermore, evidence suggests some police officers and other government officials may be involved in the commercial sexual exploitation of children and are not held accountable in accordance with the law.(3, 68)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Committee for the Eradication of Child Labor	Lead the implementation of the National Plan for the Prevention and Eradication of Child Labor and the Protection of Working Adolescents. Led by the Ministry of Labor and Social Security, includes 17 government agencies and representatives from trade unions, business associations, and civil society organizations.(82, 83)
Intersectoral Commission to Combat Sexual Violence Against Children and Adolescents	Monitor implementation of the National Plan to Combat Sexual Violence Against Children and Adolescents. Led by the Ministry of Justice's Special Secretariat for Human Rights (SDH).(84, 85)
National Committee to Combat Forced Labor	Coordinate and evaluate the implementation of the National Plan for the Eradication of Forced Labor. Led by SDH.(86)

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Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor (cont)

Coordinating Body	Role & Description
National Committee to Combat Trafficking in Persons	Coordinate activities to address human trafficking, including implementation of the Second Plan to Combat Trafficking in Persons. Led by the Ministry of Justice.(87, 88) In 2016, monitored and evaluated the Plan, and began developing the third national action plan.(89)
National Council for the Rights of Children and Adolescents	Monitor policies to protect children’s rights, including the rights of working children. Includes representatives from the Executive Branch and NGOs.(90, 91)
Interagency Committee to Implement Strategies to Ensure the Protection of Children’s and Adolescents’ Rights	Coordinate the implementation of policies to protect children’s and adolescents’ rights, including the National Plan for the Prevention and Eradication of Child Labor and the Protection of Working Adolescents. Led by SDH.(92)
Labor Justice Commission for the Eradication of Child Labor and Protection of Adolescent Decent Work	Organize efforts of the labor courts to eliminate child labor and ensure that adolescents have decent work opportunities.(93) Includes 11 representatives from the Superior Labor Court and regional labor courts.(94)
Anti-Trafficking Coordination Centers (<i>Núcleos de Enfrentamento</i>)	Coordinate activities carried out by local, state, and federal agencies to combat human trafficking. Established in 16 states and the Federal District.(68)
National Forum of Judiciary Power for Monitoring Demands Related to Labor Exploitation and Human Trafficking (FONTET)*	Collect data on forced labor and human trafficking cases.(68) Represented by the National Judiciary Committee and Judicial State Committees to Combat Forced Labor and Trafficking in Persons.(95) During the reporting period, collected data on 85 million legal cases and uploaded the information into a searchable database.(68)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor†

Policy	Description
National Plan for the Prevention and Eradication of Child Labor and the Protection of Working Adolescents (2011–2015)	Guided the Government’s efforts to combat child labor, including its worst forms.(96) Although it expired in 2015, the Government continued to implement the Plan during the reporting period, and worked on drafting the next edition.(97)
National Plan to Combat Sexual Violence Against Children and Adolescents (2013–2020)	Identifies strategies to prevent the sexual exploitation of children, protect children’s rights, and assist child victims.(85)
Second Plan for the Eradication of Forced Labor	Establishes the policy framework to address forced labor.(98)
Federal Pact for the Eradication of Forced Labor†	Aims to establish a forced labor database to share research and data, create state-level plans to combat forced labor, and strengthen interagency coordination. Led by the Ministry of Justice’s Special Secretariat for Human Rights, and signed by 15 states.(99, 100)
Second National Plan to Combat Trafficking in Persons (2013–2016)	Guides efforts to combat human trafficking, including child trafficking.(88)
National Education Plan (2014–2024)	Aims to expand access to education and improve the quality of education. Plans to allocate 10 percent of Brazil’s GDP to public education by 2024.(101)
Integrated Work Plan for the Brazil-Uruguay Border†	Aims to improve collaboration between Government initiatives in border regions; plans to create a Binational Committee for the Prevention and Elimination of Child Labor to plan and implement awareness campaigns.(102)

† Policy was approved during the reporting period.

‡ The Government has other policies which may have addressed child labor issues or had an impact on child labor.(103)

In 2016, the Government passed a Constitutional amendment that restricts primary spending increases for the next 20 years; the spending cap can only increase by the previous year’s rate of inflation. The Government excluded health and education expenses from the ceiling until 2018.(104) According to the National Campaign for the Right to Education, this change in funding will further prevent the Government from meeting the National Education Plan’s objectives.(105)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
National Program to Eradicate Child Labor [<i>Programa de Erradicação do Trabalho Infantil (PETI)</i>] [†]	Ministry of Social Development and the Fight Against Hunger (MDS) social assistance program that combats child labor through awareness-raising activities, victim identification and protection, and conditional cash transfers.(65, 106) To receive program benefits, participants must ensure that children are not working and maintain at least 85 percent school attendance.(107) In 2016, MDS launched a monitoring system to allow state and municipal governments to track program targets.(108)
Living Together and Strengthening Links Program [<i>Serviço de Convivência e Fortalecimento de Vínculo (SCFV)</i>] [†]	MDS social assistance program for vulnerable groups, including child laborers. Aims to strengthen familial and communal ties through sports and artistic and cultural activities. Offers services at Social Assistance Reference Centers and Living Centers.(109)
Social Assistance Reference Centers [†]	MDS and SDH program that provides vulnerable populations, including victims of child labor and commercial sexual exploitation, with psychological, social, and legal services.(110, 111) In 2016, there were 2,374 Specialized Social Assistance Reference Centers located throughout the country, a decrease from 2,453 centers in 2015; only 675 centers were certified to assist victims of human trafficking, and many centers lacked necessary funds.(43, 68, 72)
Family Stipend (<i>Bolsa Família</i>) [†]	MDS program that supplements income through cash transfers for families living in poverty and extreme poverty.(32, 112) In 2016, budget increased by \$513 million. As of July 2016, 87.5 percent of children ages 6-15 and 76.8 percent of children ages 16-17 met the school attendance requirement.(75) During the reporting period, MDS improved control mechanisms for participation; six federal databases allowed the Government to cross-check data to reduce fraud and ensure only intended program participants receive payments.(75)
Brazil Without Extreme Poverty (<i>Brasil Sem Miséria</i>) [†]	MDS program that lifts people out of extreme poverty by guaranteeing a minimum income; expanding access to public services, including education, health, and citizenship; and increasing job opportunities and income generation for the poorest families.(113) One program component, Caring Brazil (<i>Brasil Carinhoso</i>), targets <i>Bolsa Família</i> participants with children ages 0 to 15 with a monthly family income of less than \$22 per person.(114)
Ministry of Education programs [†]	National Program on Job Training and Employment (<i>Programa Nacional de Acesso ao Ensino Técnico e Emprego</i>) for workers and social program recipients, including high school students.(115, 116)
National Household Survey [†]	Government-funded annual national household survey that includes questions about child labor.(6)
South-South Cooperation Projects [†]	Government of Brazil-funded projects implemented by the ILO to combat child labor and promote South-South cooperation.(117) The Support to Caribbean States* project builds the capacity of participating Caribbean countries to enhance the school-to-work transition of youth.(118)
USDOL-funded Projects	USDOL-funded projects implemented by the ILO that aim to combat child labor and forced labor. The Global Action Program on Child Labor Issues Project improves the evidence base on child labor and forced labor through data collection and research.(119) The Project to Consolidate Efforts to Combat Forced Labor in Brazil and Peru combats forced labor, including forced child labor in Brazil and Peru, and shares Brazil's best practices with the Government of Peru and Peruvian stakeholders.(120, 121) For additional information about USDOL's work, please visit our Web site .

* Program was launched during the reporting period.

† Program is funded by the Government of Brazil.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(122, 123)

Because PETI and *Bolsa Família* are decentralized, local governments are responsible for their implementation. Some municipalities do not have the necessary human and financial resources to fully implement and monitor these programs.(32) Many states also report a lack of resources to adequately assist victims of human trafficking.(68) Research found a lack of specialized shelters for child victims of commercial sexual exploitation.(33, 43)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR, INCLUDING ITS WORST FORMS

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Brazil (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws do not require threats, the use of force, or coercion to be established for the crime of child trafficking for labor exploitation.	2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Ensure that the removal of businesses from the register of employers caught with forced labor is implemented transparently and in accordance with the established criteria.	2016
Enforcement	Publish information regarding the labor inspectorate's funding, number of child labor dedicated inspectors, number of labor inspections conducted, number of child labor violations for which penalties were imposed, number of penalties imposed that were collected; as well as the number of criminal violations found, prosecutions initiated, and convictions achieved.	2012 – 2016
	Increase the number of labor inspectors in order to provide sufficient coverage of the workforce. Provide suitable pay and security protection for inspections in remote regions to ensure the continuity of the labor inspection function.	2014 – 2016
	Collect and track data on cases regarding the commercial sexual exploitation of children, including child prostitution and pornography.	2009 – 2016
	Ensure that all violators of child labor laws, including the worst forms of child labor, are held accountable in accordance with the law.	2015 – 2016
Government Policies	Monitor the impact of the education sector's spending cap on children's access to education.	2016
	Provide adequate resources to ensure that the goals outlined in the National Education Plan are achieved.	2015 – 2016
Social Programs	Expand efforts to improve access to primary and secondary education, particularly in rural areas. Expand the accessibility of birth registration services in remote areas and ensure indigenous communities are aware of the benefits of birth registration.	2013 – 2016
	Provide local governments with the necessary resources to fully implement and monitor PETI and <i>Bolsa Família</i> .	2009 – 2016
	Provide adequate resources to state governments to ensure that child trafficking victims receive social services. Ensure the availability of specialized shelters for child victims of commercial sexual exploitation.	2012 – 2016

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79. UN. *World Economic Situation and Prospects 2012 Statistical Annex*. New York; 2012. http://www.un.org/en/development/desa/policy/wesp/wesp_current/2012country_class.pdf. For analytical purposes, the Development Policy and Analysis Division (DPAD) of the Department of Economic and Social Affairs of the United Nations Secretariat (UN/DESA) classifies all countries of the world into one of three broad categories: developed economies, economies in transition, and developing countries. The composition of these groupings is intended to reflect basic economic country conditions. Several countries (in particular the economies in transition) have characteristics that could place them in more than one category; however, for purposes of analysis, the groupings have been made mutually exclusive. The list of the least developed countries is decided upon by the United Nations Economic and Social Council and, ultimately, by the General Assembly, on the basis of recommendations made by the Committee for Development Policy. The basic criteria for inclusion require that certain thresholds be met with regard to per capita GNI, a human assets index and an economic vulnerability index. For the purposes of the Findings on the Worst Forms of Child Labor Report, "developed economies" equate to the ILO's classification of "industrial market economies; "economies in transition" to "transition economies," "developing countries" to "industrializing economies, and "the least developed countries" equates to "less developed countries." For countries that appear on both "developing countries" and "least developed countries" lists, they will be considered "least developed countries" for the purpose of calculating a "sufficient number" of labor inspectors.
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In 2016, Burkina Faso made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government revised its Hazardous Work List to make the list more comprehensive and began drafting a new National Action Plan to Combat the Worst Forms of Child Labor. In addition, the Government funded and participated in multiple programs that include the goal of eliminating or preventing child labor, including its worst forms. However, children in Burkina Faso perform dangerous tasks in cotton harvesting. Children also engage in the worst forms of child labor, including in commercial sexual exploitation and in artisanal gold mining. Limited resources for the systematic enforcement of child labor laws impede government efforts to protect children from engaging in the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Burkina Faso engage in the worst forms of child labor, including in commercial sexual exploitation and in artisanal gold mining. Children in Burkina Faso perform dangerous tasks in cotton harvesting. (1-8) Table 1 provides key indicators on children's work and education in Burkina Faso.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	42.1 (2,116,752)
Attending School (%)	5 to 14	41.9
Combining Work and School (%)	7 to 14	21.7
Primary Completion Rate (%)		61.6

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(9)

Source for all other data: Understanding Children's Work Project's analysis of statistics from *Enquête Démographique et de Santé et à Indicateurs Multiples, 2010*.(10)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Planting, [†] weeding, and harvesting crops, including cotton and mangos (1, 3-8, 11)
	Raising and herding [†] livestock, including cattle and goats (5, 11-14)
Industry	Artisanal mining [†] of gold, including digging [†] and crushing [†] rock, installing dynamite, [†] working underground, [†] carrying water and other heavy loads, [†] and using cyanide [†] and mercury [†] (1-3, 8, 12, 15-31)
	Quarrying [†] and transporting heavy loads [†] while working to extract granite (14, 16, 19, 25, 31-36)
	Work in carpentry [†] and construction (12, 13)
Services	Domestic work [†] (4, 6, 11-13, 26, 37, 38)
	Street work, including vending [†] (6, 11-13, 36)
Categorical Worst Forms of Child Labor [‡]	Use in illicit activities, including drug trafficking (19)
	Commercial sexual exploitation, sometimes as a result of human trafficking (11, 26, 39, 40)
	Farming, including production of cotton and livestock raising, domestic work, begging, gold mining, and quarrying, each as a result of human trafficking (3, 5, 6, 39-45)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Burkina Faso is a destination, transit point, and source for child trafficking to and from other West African countries.(39, 40, 46-48) The Government works with Koranic schools and educators to expose individuals who pose as Koranic teachers to force their students to beg in the streets and then take the profits.(6, 39-41, 44, 49, 50) The practice of *confiage*, which involves sending a child to live with a relative or friend to attend school in a larger town or city, may place children at risk of internal human trafficking.(44) Child labor in gold mining, especially artisanal gold mining, known locally as *orpaillage*, continues to increase and leads children to leave school.(5, 8, 50-55)

Although the Law Orienting the Education System mandates free education until age 16, uniform costs, school-related fees, teacher shortages, and school infrastructure shortfalls in rural areas hinder children's access to education.(2, 3, 26, 31, 56) About a quarter of children under age five in Burkina Faso lack a birth certificate. As birth certificates are required to attend school, many of these children remain out of school and vulnerable to child labor.(57, 58)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Burkina Faso has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations on child labor, including its worst forms (Table 4). However, gaps exist in Burkina Faso's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Article 152 of the Labor Code; Order Deviating the Age of Admission to Employment (59, 60)
Minimum Age for Hazardous Work	Yes	18	Articles 149–150 of the Labor Code; Article 1 of the Hazardous Work List (59, 61)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 153 of the Labor Code; Articles 3–6 of the Hazardous Work List; Article 77 of the Mining Code (59, 61, 62)
Prohibition of Forced Labor	Yes		Articles 5 and 153 of the Labor Code; Articles 3–5 of the Law Suppressing the Sale of Children, Child Prostitution and Child Pornography; Article 1 of the Law on Combating Trafficking of Persons and Similar Practices (59, 63, 64)
Prohibition of Child Trafficking	Yes		Article 153 of the Labor Code; Articles 1–5 and 14–15 of the Law on Combating Trafficking of Persons and Similar Practices (59, 64)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 153 of the Labor Code; Articles 3–4, 7–10, and 20 of the Law Suppressing the Sale of Children, Child Prostitution and Child Pornography (59, 63)
Prohibition of Using Children in Illicit Activities	Yes		Article 153 of the Labor Code (59)

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Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	20	Article 2 of the Decree Organizing Operations Related to Convoking the Contingent (65)
Non-State Compulsory	Yes	18	Articles 153 and 424 of the Labor Code (59)
Compulsory Education Age	Yes	16	Article 4 of the Law Orienting the Education System (66)
Free Public Education	Yes		Article 6 of the Law Orienting the Education System (66)

* No conscription (67)

In 2016, the Government revised its Hazardous Work List; nevertheless, the types of hazardous work prohibited for children do not fully cover all tasks in sectors in which child labor is known to occur, including in agriculture and construction. Children are consequently left exposed to conditions that harm their health, safety, and morals.(61) In addition, the light work provisions in the Labor Code are not specific enough to prevent children from involvement in child labor.(59, 60)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Civil Service, Labor, and Social Security (MFPTSS)	Enforce labor laws, including child labor laws and laws on the worst forms of child labor, and establish a government policy to combat child labor.(11, 54, 68, 69) Use provincial committees to raise awareness, conduct workshops for community members, and enforce laws at the local level.(46, 70)
Ministry of Women, National Solidarity, and Family (MFSNF)	Protect children's rights, enforce laws against child trafficking and other worst forms of child labor, remove children from exploitative child labor, and provide reintegration services.(11, 68, 71, 72) Operate a free hotline to report child abuse. Maintain civil registry offices in maternity wards to register newborn babies. (2, 19, 73-75) Use its National Council for Childhood to oversee all policies for the survival, protection, development, and participation of children.(76)
Ministry of Territorial Administration, Decentralization and Interior Security (MATDSI)	Enforce criminal laws related to child trafficking.(43) Use its Morals Brigade in the MATDSI National Police Force to oversee criminal cases involving children and women.(77)
Ministry of Justice	Enforce and prosecute criminal laws, including laws related to the worst forms of child labor.(78) Appoint one or more judges who specialize in child protection issues to each high court to oversee juvenile court cases. May also call on MFSNF social workers in charge of child protection to conduct investigations on behalf of vulnerable children, including victims of child trafficking, commercial sexual exploitation, exploitative child labor, and begging.(79)
Parliamentary Network for the Promotion of Child Rights	Train government officials on children's rights, including child labor laws and other issues affecting children.(3, 80, 81)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Burkina Faso took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$226,000 (2)	\$225,000 (31)
Number of Labor Inspectors	124 (2, 82)	154 (31)
Inspectorate Authorized to Assess Penalties	Yes (59)	Yes (31)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (2)	Yes (31)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Training on New Laws Related to Child Labor	Unknown* (77)	N/A (31)
Refresher Courses Provided	Yes (2)	Yes (31)
Number of Labor Inspections	Unknown* (2, 82)	Unknown* (31)
Number Conducted at Worksite	Unknown* (2)	Unknown* (31)
Number Conducted by Desk Reviews	Unknown* (2)	Unknown* (31)
Number of Child Labor Violations Found	Unknown* (2)	Unknown* (31)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown* (2)	Unknown* (31)
Number of Penalties Imposed That Were Collected	Unknown* (2)	Unknown* (31)
Routine Inspections Conducted	No (2)	No (31)
Routine Inspections Targeted	N/A (2)	N/A (31)
Unannounced Inspections Permitted	Yes (59)	Yes (31)
Unannounced Inspections Conducted	Yes (82)	Yes (82)
Complaint Mechanism Exists	Yes (2)	Yes (31)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (82)	Yes (31)

* The Government does not publish this information.

The Government employs 140 labor controllers to assist the 154 labor inspectors, who are in charge of conducting labor inspections; however, the Government indicates it lacks adequate resources to enforce labor laws throughout the country, including the human and financial resources needed to carry out a sufficient number of labor inspections.(2, 39, 68) The number of labor inspectors is insufficient for the size of Burkina Faso's workforce, which includes over 7 million workers. According to the ILO's recommendation of 1 inspector for every 40,000 workers in less developed economies, Burkina Faso should employ roughly 192 inspectors.(83, 84) The Government noted that it is difficult for inspectors to follow up on inspections to ensure their recommendations have been implemented.(85)

The Ministry of Civil Service, Labor, and Social Security publishes an annual report listing 12 types of labor infractions, none of which are related to child labor.(11) Law enforcement collaborates ad hoc with the Ministry of Women, National Solidarity, and Family (MFSNF) to provide social services to child labor victims and the Government is in the process of implementing a Child Labor Monitoring System, which would improve connections between the various actors.(31, 82) It is unknown how many cases of child labor were identified as a result of complaints made to the MFSNF hotline.

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Burkina Faso took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (2)	Yes (31)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	N/A (31)
Refresher Courses Provided	Yes (49)	Yes (31)
Number of Investigations	Unknown*(2)	Unknown* (31)
Number of Violations Found	Unknown*(2)	Unknown* (31)
Number of Prosecutions Initiated	16 (39, 49)	Unknown (31)
Number of Convictions	9 (39, 49)	Unknown (31)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2, 39)	Yes (31, 48)

* The Government does not publish this information.

Although the government has standard victim identification and referral procedures, authorities and front-line responders do not apply them uniformly.(48)

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IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Coordination Committee for the National Action Plan to Combat the Worst Forms of Child Labor (CNC-PAN/PFTE)	Supervise, evaluate, and oversee implementation of the National Action Plan to Combat the Worst Forms of Child Labor. Chaired by the MFPTSS Directorate to Combat Child Labor and its Worst Forms, includes representatives from various civil society organizations, 24 government ministries, and 6 observers from donor countries and international NGOs.(11, 12, 68) Hold meetings twice a year to review efforts to combat child labor and identify needs.(68) In 2016, met twice to develop a new National Strategy to Combat the Worst Forms of Child Labor and to examine reports from 2014 and 2015, and the report on the National Action Plan to Combat the Worst Forms of Child Labor.(31)
MFPTSS Directorate to Combat Child Labor and its Worst Forms (DLTE)	Coordinate and lead interagency efforts to combat child labor, including its worst forms; collect information on child labor; and conduct awareness raising activities.(86) Serve as the Secretariat for the CNC-PAN/PFTE.(78, 86)
National Committee for Vigilance and Surveillance Against the Trafficking in Persons and Assimilated Practices (CNVS)	Coordinate actions at the national level to combat the worst forms of child labor, including human trafficking. Oversee Committees for Vigilance and Surveillance in each of the regions.(39, 46) MFSNF serves as president, and MATDSI is the vice president.(39, 73) Includes representatives from MFPTSS, the Ministry of Justice, the Ministry of Women and Gender, and NGOs.(39)
Child Protection Networks (RPEs)	Assist CNVS with coordinating and facilitating the collection of statistical data on human trafficking, in particular women and children. Established by MFSNF, comprises social workers, magistrates, judges, police officers, health workers, and NGOs in 23 of the country's 45 provinces.(49)

In 2016, the Government trained members of the National Committee for Vigilance and Surveillance Against the Trafficking in Persons and Assimilated Practices on the proactive identification of trafficking victims.(48) Although the Government made efforts to improve its data collection system and monitoring capabilities, poor coordination among ministries and a lack of resources, such as computers and electricity, continued to hamper the Government's ability to fully address child trafficking.(2, 39)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
2015 National Action Plan to Combat Trafficking	Developed by MFSNF and implemented by CNVS, aims to combat human trafficking.(39) Research was unable to determine any updates in 2016.(50)
Communal Action Plan Against Trafficking (2013–2018)	Seeks to prevent child trafficking, raise awareness in local communities, and rehabilitate and reintegrate victims of child trafficking. Piloted in Diebouougou. Includes government plans to replicate elsewhere in the country.(39, 49) Research was unable to determine any updates in 2016.(50)
National Parenting Program	Aims to support families in their efforts to provide education and care to their children to reduce their vulnerability to child trafficking.(39, 49) Research was unable to determine any updates in 2016.(50)

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(19, 31, 39, 87-89)

The Government has not included child labor elimination and prevention strategies in the National Plan for Economic and Social Development and the Program for the Strategic Development of Basic Education.(31, 47, 90, 91). Although the National Action Plan to Combat the Worst Forms of Child Labor ended in 2015, a second iteration, covering 2017–2021, is currently in development to expand on the initial National Action Plan.(31, 92)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
National Program for the Fight Against Child Labor on Artisanal Gold Mining Sites and Quarries (2015–2019) [†]	MFSNF program that aims to prevent and withdraw children from working in artisanal gold mines as part of the Government's efforts to eliminate child labor in mining by 2025.(2, 39, 82, 93, 94) Seeks to strengthen child protection systems, improve coordination among stakeholders, and implement existing legislation. Builds on the previous project from 2009–2013 to eliminate child labor in mines and quarries.(82) Approximately \$42.9 million, 40 percent of the program costs, to be provided by the Government.(2) In 2016, research was unable to determine whether any actions were undertaken.(50)
USDOL-Funded Projects to Address Child Labor	USDOL projects aim to build the capacity of the national government and develop strategic policies to address the elimination of child labor and forced labor; increase access to education, social protection, and training programs; and improve legislation and national government capacity to address child labor. These projects include <u>Reducing Child Labor Through Education and Services</u> , \$5 million project implemented by Counterpart International; <u>Global Action Program on Child Labor Issues</u> , implemented in approximately 40 countries by the ILO; and <u>Country Level Engagement and Assistance to Reduce Child Labor II (CLEAR II)</u> , implemented in at least eight countries by Winrock International and partners Verité and Lawyers Without Borders.(95-99) For additional information about USDOL's work, please visit our website .
MFSNF Projects to Combat Human Trafficking [†]	MFSNF-funded programs aim to combat human trafficking through the operation of 23 transit centers that provide food, medical assistance, and counseling to child trafficking victims and children vulnerable to trafficking.(39, 47, 48, 74) The transit centers aim to reintegrate victims into their communities and to facilitate repatriation of foreign victims when possible.(43) The National Parenting Program assists parents in managing and educating their children to combat child trafficking.(49) Government funds nationwide media campaigns to combat human trafficking by providing advocacy, raising awareness, and building capacity for key actors involved in child protection issues, including child trafficking.(39, 49) In 2016, research was unable to determine whether any actions were undertaken.(50)
World Bank-Funded Projects	Includes the Education Access and Quality Improvement Project (EAQIP), \$51 million project to support the Government to increase access to preschool education in the two poorest regions and secondary education in the five poorest regions, and to improve teaching and education. Social Safety Net Project, \$50 million project to provide income support to poor households and to lay the foundations for a basic safety net system in Burkina Faso.(100, 101) In 2016, research was unable to determine whether any actions were undertaken.(50)
Resilience and Economic Growth in the Sahel–Enhanced Resilience (REGIS – ER) (November 2013–November 2018)	Over \$70 million USAID-funded, 5-year project to increase food security and improve livelihoods in Niger and Burkina Faso. Works to increase the resilience of chronically vulnerable populations in marginal agricultural and agro-pastoral zones in Niger and Burkina Faso, particularly in 25 communes in the marginal agriculture and agro-pastoral belt.(50, 102, 103)
National Strategy on Civil Registration (2012–2016) [†]	\$41.3 million program that aims to achieve universal birth registration by creating information and registration centers funded 30 percent by the Government and the remaining 70 percent by technical and financial partners.(11, 26, 104) In 2016, research was unable to determine whether any actions were undertaken.(50)

[†] Program is funded by the Government of Burkina Faso.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms (3, 11, 31, 105-110)

Although Burkina Faso has social programs to address the worst forms of child labor in the production of cotton and in gold mining, the scope of these programs is insufficient to fully address the extent of the problem.(2, 3)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Burkina Faso (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the types of hazardous work prohibited for children are comprehensive.	2016
	Ensure that light work provisions are specific enough to prohibit children's involvement in child labor.	2016
Enforcement	Increase the number of labor inspectors to meet the ILO recommendation.	2014 – 2016
	Ensure that labor law enforcement receives sufficient resources to fulfill their mandate, including by conducting an adequate number of inspections and following up after inspections to ensure recommendations have been implemented.	2009 – 2016
	Publish statistics on the enforcement of child labor laws, including the number and type of labor inspections conducted, labor violations found, and penalties imposed and collected.	2009 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Include the number of child labor infractions in the Ministry of Civil Service (MFPTSS) annual report.	2015 – 2016
	Establish a mechanism to log all calls to the child protection hotline and track cases of child labor for referral to law enforcement or social service providers.	2015 – 2016
	Strengthen the labor inspectorate by conducting routine and targeted inspections.	2015 – 2016
	Ensure front-line responders apply standard victim identification and referral procedures uniformly.	2016
	Publish statistics on the criminal enforcement of child labor laws, including the number of investigations, violations found, prosecutions, and convictions.	2016
Coordination	Ensure coordinating bodies receive adequate resources, such as computers and electricity to address mandates.	2015 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into the National Plan for Economic and Social Development and the Program for the Strategic Development of Basic Education policies.	2013 – 2016
	Take steps to implement the 2015 National Action Plan to Combat Trafficking, the Communal Action Plan Against Trafficking, and the National Parenting Program.	2016
Social Programs	Improve access to education by eliminating school-related fees and increasing the number of schools and teachers in rural areas.	2010 – 2016
	Take efforts to register children at birth to ensure access to social services, including education.	2010 – 2016
	Expand existing programs to fully address child labor in the production of cotton and in gold mining.	2009 – 2016
	Undertake activities to support MFSNF projects to combat human trafficking, World Bank-funded projects, and the National Strategy on Civil Registration.	2016

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Burma

NO ASSESSMENT

In 2016, no assessment has been made regarding Burma's efforts to advance the elimination of the worst forms of child labor because this is the first year that efforts have been assessed and suggested actions provided for Burma. Based on research regarding Burma's efforts to combat the worst forms of child labor, the Government made several efforts, but the military was also complicit in the use of forced child labor. Government efforts in Burma included amending the Shops and Establishments Act and the Factories Act to raise the minimum age for work to 14 and the minimum age for dangerous work to 18 in these sectors. In addition, the military provided its personnel, training centers, and recruitment officials with training and improved age assessment and verification procedures to enhance the military's ability to identify and prevent child soldier recruitment. Burma's military released 112 children and young people who had been recruited into the armed forces as children, and sanctioned 13 officers and 23 non-commissioned personnel for the recruitment and use of children in the armed forces. However, Burma's military continued to use some children as combatants, porters and cooks in conflict areas. Children in Burma also performed dangerous tasks in garment production. Despite steady progress, military oversight and monitoring of recruitment procedures were insufficient to completely eliminate the recruitment of children. In addition, the legal framework does not prohibit the recruitment and use of children by non-state armed groups, and it does not comprehensively identify hazardous work that is prohibited for children.



I. PREVALENCE AND SECTORIAL DISTRIBUTION OF CHILD LABOR

Children in Burma engage in the worst forms of child labor, including in armed conflict.(1, 2) Children also perform dangerous tasks in garment production.(3) In 2016, the Government published the 2015 Report on Child Labor in Myanmar. The report data show that 1,278,909 children work in Burma, including 60.5 percent in agriculture, forestry, and fishing; 12 percent in manufacturing; 11.1 percent in trades; and 6.1 percent in other services.(4) Table 1 provides a key indicator on children's education in Burma. Data from the 2015 Report on Child Labor in Myanmar is available publicly, although not in its disaggregated format. Therefore, disaggregated data from the 2015 Report on Child Labor in Myanmar is not publicly available for further analysis to calculate additional work and education indicators.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		85.1

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(5) Data were unavailable from Understanding Children's Work Project's analysis, 2016.(6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including rubber, sugarcane, beans and pulses, rice, betel nut, and bamboo (7-12)
	Fishing and processing fish and seafood (8-10, 13)
	Forestry, including on teak plantations (10, 14)
Industry	Producing garments (3, 15-19)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Industry	Construction (3, 16, 20, 21)
	Food processing (3, 16, 22)
	Manufacturing, including furniture, bricks, and other products (7, 10, 22, 23)
	Quarrying and mining, including jade and rubies (10, 24)
Services	Domestic work (3, 10, 22, 25, 26)
	Working in teashops and restaurants, including waiting tables and washing dishes (7, 10, 16, 27)
	Street vending, collecting garbage and recyclables, working in transportation, and working in markets (3, 7, 9, 22, 28)
Categorical Worst Forms of Child Labor‡	Forced recruitment of children by state and non-state armed groups for use in armed conflict (1, 2, 29)
	Forced labor in agriculture, including harvesting bamboo, and producing beans, rice, rubber, sugarcane, and teak (11, 29)
	Forced labor in manufacturing bricks and construction (23, 29)
	Forced labor in domestic work, teashops, and begging (26, 29)
	Commercial sexual exploitation, sometimes as a result of human trafficking (12, 22, 29)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

While a small number of children are reported to be used by Burma’s armed forces as combatants in armed conflict, active recruitment of children into the Army has been significantly reduced in recent years.(2, 29) In 2016, there were only two verified cases of child recruitment into the military.(30) While there has been a decrease in reports of forced labor by the military, the Army continues to use civilians, including children, for forced labor in conflict areas to porter goods and cook for battalions, and carry supplies.(29) In addition, children are recruited and used in armed conflict by non-state armed groups that are often in conflict with the Burmese military, including the Karen National Liberation Army; the Kachin Independence Army; the Shan State Army-South; and the Tā’ang National Liberation Army in Kachin, Kayin, and Shan States.(1, 29)







While national statistics are available in Burma, research did not uncover sufficient recent information about the detailed nature and prevalence of child labor in Burma, including its worst forms.

Many children face barriers to education, such as long distances to schools and expenses that include uniforms, books, and transportation.(3, 7, 31) In addition, internally displaced and stateless children, in particular, have limited access to education due to an inadequate number of schools.(22, 32)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Burma has ratified most key international conventions concerning child labor, but it has not ratified the UN CRC Optional Protocol on Armed Conflict (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Burma’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	14	Section 75 of the Factories Act; Article 14 of the Shops and Establishments Act (33, 34)
Minimum Age for Hazardous Work	Yes	18	Article 15(d) of the Shops and Establishments Act; Sections 25 and 29 of the Factories Act; Rule 90 of the Mining Law; Section 65(a) of the Child Law (33-36)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Sections 25 and 29 of the Factories Act; Article 15(d) of the Shops and Establishments Act (33, 34)
Prohibition of Forced Labor	Yes		Section 24 of the Anti-Trafficking in Persons Law; Sections 370–371 and 374 of the Penal Code; Section 27(a) of the Ward or Village Tracks Administrative Law (37-39)
Prohibition of Child Trafficking	Yes		Section 24 of the Anti-Trafficking in Persons Law; Sections 372 and 366(a) of the Penal Code (37, 38)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 372–373 of the Penal Code; Section 66(f) of the Child Law (36, 37)
Prohibition of Using Children in Illicit Activities	No		Sections 20(a) and 22(c) of the Narcotics and Psychotropic Substances Law; Sections 65(b)–(c) and 66(c) of the Child Law (36, 40)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	1974 Regulation for Persons Subject to the Defense Service Act (War Office Council Instruction 13/73) (41)
Non-state Compulsory	No		
Compulsory Education Age	No	10 [‡]	Section 20 (b)(i) of the Child Law; Section 4(e) of the National Education Law (36, 42)
Free Public Education	Yes		Section 20 (a)(ii) of the Child Law; Section 4(e) of the National Education Law (36, 42)

* No conscription (43)

‡ Age calculated based on available information (44)

In 2016, the Government amended the Shops and Establishments Act and the Factories Act, which raised the minimum age for work to 14 in these sectors. The amendment to the Shops and Establishments Act also established 18 as the minimum age for dangerous work in this sector.(33, 34) During the reporting period, a list of hazardous work prohibited for children was drafted and is awaiting government approval.(45)

However, a general minimum age for work has not been established, and as a result, there is no minimum age for work in all sectors in which children are employed, including agriculture and informal work. While some of the sector-specific laws do identify activities that are prohibited for children under age 18, these are not comprehensive, and the minimum age of 16 for hazardous work established in the Child Law and the Factories Act is not in compliance with international standards.(33, 36)

In addition, the legal framework does not sufficiently prohibit commercial sexual exploitation of children, as there are no criminal prohibitions for the procurement and offering of children for the production of pornography or pornographic performances.(36, 37) The legal framework also does not sufficiently prohibit the use of children in illicit activities as the use of children ages 16 and 17 for the production and trafficking of drugs is not criminally prohibited.(36, 40) The legal framework does not prohibit non-state armed groups from recruiting children for use in armed conflict.(41)

Burma's compulsory education age of 10 does not meet international standards as children are not required to attend school up until the minimum age for work, as established by international standards.(36)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Factories and General Labor Laws Inspection Department	Inspect factories, shops, and establishments for child labor law violations.(33, 34)
Child Protection Units, Police Anti-Trafficking Units	Enforce criminal laws related to child trafficking, including for the purpose of commercial sexual exploitation of children and labor exploitation. Established in the Anti-Trafficking Units of police departments in Rangoon, Mandalay, and Naypyidaw.(46)
Ministry of Defense Committee for the Prevention of Military Recruitment of Underage Children	Sanction perpetrators that recruit or use children in the armed forces.(30)
Department of Social Welfare	Investigate cases in which children need protection and care of the State.(36)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Burma took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016†
Labor Inspectorate Funding	Unknown	\$1,043,405 (41)
Number of Labor Inspectors	Unknown	179 (41)
Inspectorate Authorized to Assess Penalties	Unknown	No (47)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to Child Labor	Unknown	Unknown
Refresher Courses Provided	Unknown	Yes (48)
Number of Labor Inspections	Unknown	60,089 (41)
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	Unknown	3 (41)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	3 (41)
Number of Penalties Imposed That Were Collected	Unknown	3 (41)
Routine Inspections Conducted	Unknown	Yes (47)
Routine Inspections Targeted	Unknown	Yes (47)
Unannounced Inspections Permitted	Unknown	Yes (47)
Unannounced Inspections Conducted	Unknown	Yes (41)
Complaint Mechanism Exists	Unknown	Yes (47)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	No (41)

† Dates are from April 1, 2015, to March 31, 2016.

The number of labor inspectors is insufficient for the size of Burma's workforce, which includes over 37 million workers. According to the ILO recommendation of 1 inspector for every 40,000 workers in less developed economies, Burma should employ roughly 929 inspectors.(49-51)

In 2016, the Factories and General Labor Laws Inspection Department conducted 60,089 inspections; therefore, each inspector conducted an average of 335 inspections during this period.(41) This is a high number of inspections conducted by each inspector, and it is unknown whether this high number affects the quality of inspections. The number of inspections that were conducted at the worksite or by desk review is also unknown.(41)

In addition, it is unknown whether new and veteran labor inspectors received training on the recently amended child labor laws during the reporting period. Research also did not uncover labor law enforcement data for 2015.

Burma

NO ASSESSMENT

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Burma took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	N/A
Refresher Courses Provided	Unknown	Yes (30)
Number of Investigations	Unknown	2 (30)
Number of Violations Found	Unknown	5 (30)
Number of Prosecutions Initiated	Unknown	1 (30)
Number of Convictions	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown	Yes (46)

In 2016, 13 officers and 23 non-commissioned personnel were sanctioned under military law for complicity in the recruitment or use of children in the military.(30) The military provides an annual refresher training course to senior enlisted personnel on the military regulations prohibiting the recruitment and use of children in the armed forces. UNICEF and ILO also provide training to military officers on the prevention of underage recruitment.(30) Despite these efforts and a continued decline in the recruitment and use of children, Burma's military continued to use children as combatants in armed conflict in violation of the Defense Services Law. Military oversight and monitoring of recruitment procedures were insufficient to prevent the recruitment of children.(29) In addition, the military forced children to work for armed forces in violation of the Ward or Village Tracks Administrative Law.(29, 39)

In addition, it is unknown whether new criminal investigators receive initial training for enforcing laws related to the worst forms of child labor during the reporting period. The number of convictions resulting from the prosecution of the crimes involving the worst forms of child labor is also unknown. Research also did not uncover information regarding criminal law enforcement actions for 2015.

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Description
Technical Working Group on Child Labor	Coordinate the implementation of ILO Convention 182, including drafting the list of hazardous work prohibited for children. Chaired by the Ministry of Labor, Employment and Social Security, consists of stakeholders from Government, workers, employers, and civil society.(52) In 2016, validated the draft list of work prohibited for children.(45)
Central Body for the Suppression of Trafficking in Persons	Coordinate government and non-government efforts to address trafficking in persons. Chaired by the Minister of Home Affairs, includes six government agencies and several non-governmental stakeholders. (30)
Township Child Rights Committee	Coordinate local child welfare and protection activities. Led by the Township Administrator, consists of government agencies, including the Department of Social Welfare and the police, as well as NGOs.(53)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
Joint Action Plan to Prevent the Recruitment and Use of Children for Military Purposes	Aims to end all government recruitment and use of children in its armed forces. Seeks to ensure the release of children under age 18 from the armed forces and facilitate their reintegration into families and communities. Resulted in 811 children being released since the start of the policy in 2012, including 112 in 2016.(30, 54, 55)

In 2016, the Government was involved in consultations to develop the National Action Plan on the Elimination of Child Labor. (45) Although the Government has adopted a policy to end the military's recruitment and use of children, research found no evidence of a policy on other worst forms of child labor, including the recruitment of children by non-state armed groups, work in hazardous occupations, forced child labor, and commercial sexual exploitation of children.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government of Burma funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Forced Labor Complaint Mechanism	ILO program, gives citizens a mechanism to lodge complaints of forced labor and seek remedies from the Government.(56)
Hotlines	UNICEF and World Vision-operated hotlines for reporting suspected cases of child recruitment or use by Burma's military.(54)
Myanmar Programme on the Elimination of Child Labour (My-PEC) Project	\$5.25 million, USDOL-funded project implemented by ILO to expand the knowledge base on child labor in Myanmar, increase awareness and knowledge of child labor, improve laws to meet international standards, and improve the capacity of stakeholders to address child labor.(57) In 2016, supported the Technical Working Group on Child Labor to develop the hazardous work list and held initial consultations for the development of a National Action Plan on the Elimination of Child Labor. Provided educational services to 1,766 children and livelihood services to 96 households.(45) For additional information about USDOL's work, please see our Website .
SafeYouth@Work Project: Building a Generation of Safe and Healthy Workers	USDOL-funded global project implemented by ILO, with Burma as one of the three pilot countries. In Burma, focuses on young workers ages 15–25 in the construction and agricultural sectors and seeks to improve availability and use of occupational safety and health (OSH) data, improve regulations and programs on OSH, build the capacity of the Government and social partners to promote and enforce compliance with OSH laws and regulations, and increase youth knowledge and awareness of hazards and risks.(58)

In 2016, the Government encouraged the public to report information about cases of child soldier recruitment through dedicated hotlines operated by the UN.(29) In addition, the Department of Social Welfare increased the number of case manager offices in Burma from 27 to 42. Case managers work to provide victims of the worst forms of child labor with rehabilitation and reintegration services.(30) However, the Department of Social Welfare lacks the staff and resources necessary to sufficiently provide services to victims.(30)

Overall, the Government lacks social programs to adequately address the worst forms of child labor, including the recruitment of children by non-state armed forces, the use of forced child labor, and commercial sexual exploitation of children.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Burma (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on Armed Conflict.	2016
	Establish a minimum age for work of at least 14 years for all sectors.	2016
	Ensure that the types of hazardous work prohibited for children are comprehensive.	2016
	Ensure that all forms of child commercial sexual exploitation are prohibited, including procuring and offering of children for the production of pornography or pornographic performances.	2016
	Criminally prohibit the use of children ages 16 and 17 in the production and trafficking of drugs.	2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Ensure that the age up to which education is compulsory is the same as the minimum age for work, as established by international standards.	2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Authorize the inspectorate to assess penalties.	2016
	Hire and train a sufficient number of labor inspectors according to ILO recommendations, to enforce labor laws, including child labor regulations.	2016
	Determine whether the inspection ratio for each labor inspector is appropriate to ensure the quality and scope of inspections.	2016
	Establish a referral mechanism between the labor inspectorate and social services.	2016
	Publish information related to labor law enforcement, including the number of inspections conducted at the work site and by desk review, training provided to labor inspectors.	2016
	Ensure that the Defense Services Law is enforced by ceasing the military use of children as combatants in armed conflict and improving military oversight and monitoring of recruitment procedures to prevent the recruitment of children.	2016
	Ensure that the Ward or Village Tracks Administrative Law is enforced by ceasing the military practice of forcing children to work for armed forces.	2016
Government Policies	Publish data on the number of convictions for violations related to the worst forms of child labor.	2016
	Make disaggregated data from the 2015 Report on Child Labor in Myanmar publicly available for analysis.	2016
Social Programs	Adopt a policy that addresses all relevant worst forms of child labor, such as children being recruited by non-state armed groups, working in hazardous occupations, forced child labor, and commercial sexual exploitation of children.	2016
	Collect and publish sufficient information about the nature and prevalence of child labor, including its worst forms.	2016
	Develop and implement programs to ensure that all children, including displaced and stateless children, can access education.	2016
	Ensure that the Department of Social Welfare has sufficient resources to provide rehabilitation and reintegration services to victims of the worst forms of child labor.	2016
	Develop and implement programs to address the worst forms of child labor, including the recruitment of children by non-state armed groups, the use of forced child labor, and the commercial sexual exploitation of children.	2016

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tee for Development Policy. The basic criteria for inclusion require that certain thresholds be met with regard to per capita GNI, a human assets index and an economic vulnerability index. For the purposes of the Findings on the Worst Forms of Child Labor Report, “developed economies” equate to the ILO’s classification of “industrial market economies; “economies in transition” to “transition economies,” “developing countries” to “industrializing economies, and “the least developed countries” equates to “less developed countries.” For countries that appear on both “developing countries” and “least developed countries” lists, they will be considered “least developed countries” for the purpose of calculating a “sufficient number” of labor inspectors.

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In 2016, Burundi made a minimal advancement in efforts to eliminate the worst forms of child labor. Despite significant budget cuts to the education sector in the wake of a worsening economic crisis, the Government completed a “Back to School” campaign to provide teaching and learning materials to 32,000 teachers and promote equitable access to and retention in school for 2.6 million students in basic education and continued funding social programs that may contribute to the prevention or elimination of child labor. However, children in Burundi engage in the worst forms of child labor, including in commercial sexual exploitation. Children also perform dangerous tasks in agriculture. Burundi lacks a compulsory education age that is equal to or higher than the minimum age for work. The Government’s ability to address the worst forms of child labor was constrained by a lack of necessary resources to conduct labor inspections and criminal investigations, adequate and sustained funding for the education sector, sufficient social programs to address child labor in the country, and political stability.



I. PREVALENCE AND SECTORIAL DISTRIBUTION OF CHILD LABOR

Children in Burundi engage in the worst forms of child labor, including in commercial sexual exploitation. Children also perform dangerous tasks in agriculture. (1-10) Table 1 provides key indicators on children’s work and education in Burundi.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	27.2 (633,126)
Attending School (%)	5 to 14	60.9
Combining Work and School (%)	7 to 14	26.0
Primary Completion Rate (%)		61.7

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(11)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Demographic and Health Survey, 2010–2011.(12)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of tea, coffee, sugarcane, cotton, palm oil, potatoes, and rice (1, 5, 7, 8, 13)
	Fishing, including preparing materials and equipment, preparing meals for fishermen, loading and unloading materials from vessels, and cleaning the vessels† (1, 5, 7, 8, 13)
	Herding and feeding livestock (5, 9, 13)
Industry	Extracting,† washing, and transporting minerals in mines and quarries, including artisanal gold mines (1, 5-8, 13-15)
	Making and transporting bricks (1, 7-9, 16)
	Construction, including transporting materials, welding, and installing electrical cables† (5)
Services	Domestic work (1, 5-7, 9, 13)
	Street vending, including selling food, newspapers, cigarettes, and used clothes and shoes (5, 6, 9, 13)
	Begging (6)
	Handling and transporting heavy loads† (5, 6)
	Cleaning, cooking, ironing, and laundering clothes in hotels and restaurants (5)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [†]	Commercial sexual exploitation, sometimes as a result of human trafficking (1-7, 9, 10, 15)
	Domestic work as a result of human trafficking (2, 15, 17)
	Forced labor in agriculture, mining, construction, street vending, and begging, each sometimes as a result of human trafficking (9, 10)
	Use in armed conflict as a result of human trafficking (18, 19)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.







Burundian children are trafficked within the country, often from rural areas, for domestic work and commercial sexual exploitation.(2-4, 10, 20) Women who offer room and board to children sometimes force the children into commercial sexual exploitation in order to pay expenses; brothels are found in the more impoverished parts of Bujumbura, near Lake Tanganyika, along trucking corridors, and in other cities such as Gitega, Ngozi, and Rumonge.(2, 3, 9, 10) Burundian girls are also trafficked internationally for commercial sexual exploitation in Kenya, the Middle East, Rwanda, and Uganda.(10, 18, 21) Evidence also suggests children are trafficked to Tanzania for work in agriculture and forced labor.(10, 22) The armed group *Red-Tabara*, associated with the *Mouvement pour la solidarité et la démocratie* (MSD) opposition party, reportedly recruited two children who thought they were being recruited for a job, but were forced to join the group instead.(13, 23) During the reporting period, political instability and conflict may have impacted the Government’s ability to address the worst forms of child labor.(24, 25)

Although the Government abolished school fees in 2012, and the cost of books and uniforms has prevented children from accessing free public schooling. A dearth of well-trained educators and poor infrastructure has also limited educational opportunity; moreover, as birth certificates are required to attend school, many unregistered children remain out of school and vulnerable to child labor.(9, 13, 26)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Burundi has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Burundi’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	16	Article 3 of the Labor Code; Article 3 of the Ministerial Ordinance to Regulate Child Labor (27, 28)
Minimum Age for Hazardous Work	Yes	18	Article 13 of the Ministerial Ordinance to Regulate Child Labor (28)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 9–15 of the Ministerial Ordinance to Regulate Child Labor (28)
Prohibition of Forced Labor	Yes		Articles 4 and 10 of the Trafficking in Persons Law (29)
Prohibition of Child Trafficking	Yes		Articles 242–243 and 514 of the Penal Code; Articles 4–6 and 10 of the Trafficking in Persons Law (29, 30)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 519–521 of the Penal Code (30)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 6(c) of the National Defense Troops Law (31)
Non-State Compulsory	No	15	Article 198.2.aa of the Penal Code (30)
Compulsory Education Age	No	12	Legislation title unknown (13)
Free Public Education	Yes		Article 17 of the Law on Basic and Secondary Education (32)

* No conscription (33)

The Labor Code prohibits work by children under age 16 in public and private enterprises; however, the law's minimum age protections do not apply to children outside of formal employment relationships.(27, 34, 35) The Penal Code does not prohibit the use of children in the production and trafficking of narcotics.(30) Although the Constitution prohibits the use of children in armed conflict, the Penal Code criminalizes only the use of children under age 15 in armed conflict, leaving children between the ages of 15 and 18 vulnerable to the worst forms of child labor.(30, 36) In addition, the prohibitions against hazardous work are not comprehensive.(28) Education in Burundi is not compulsory through the minimum age for work and research did not uncover a public version of the law establishing compulsory education for review.(13, 37)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Public Service, Labor, and Social Security	Administer and enforce all labor laws, including those on child labor, through the General Directorate of Labor and Professional Development.(38)
National Police	Conduct criminal investigations on the worst forms of child labor, including forced child labor, child trafficking, and the use of children in illicit activities.(1, 7) Through its Children and Ethics Brigade, protect children from commercial sexual exploitation.(1)
Ministry of Justice	Prosecute cases of the worst forms of child labor.(15)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Burundi took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (39)	\$2,424 (13)
Number of Labor Inspectors	12 (39)	12 (13)
Inspectorate Authorized to Assess Penalties	Yes (39)	Yes (13)

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Training for Labor Inspectors		
Initial Training for New Employees	No (39)	No (13)
Training on New Laws Related to Child Labor	Unknown (39)	N/A (13)
Refresher Courses Provided	Yes (39)	No (13)
Number of Labor Inspections		
Number Conducted at Worksite	Unknown	Unknown (13)
Number Conducted by Desk Reviews	Unknown	Unknown (13)
Number of Child Labor Violations Found		
Number of Child Labor Violations for Which Penalties Were Imposed	0 (39)	N/A (13)
Number of Penalties Imposed That Were Collected	N/A (39)	N/A (13)
Routine Inspections Conducted		
Routine Inspections Targeted	Unknown	No (13)
Unannounced Inspections Permitted	Yes (39)	Yes (13)
Unannounced Inspections Conducted	No (39)	No (13)
Complaint Mechanism Exists	No (39)	Yes (13)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (39)	Yes (13)

The number of labor inspectors is insufficient for the size of Burundi's workforce, which includes over 5 million workers. According to the ILO's recommendation of 1 inspector for every 40,000 workers in less developed countries, Burundi should employ roughly 131 inspectors.(39-41) Research found that financial constraints hamper the labor inspectorate's enforcement of child labor laws.(39) The annual funding to the Labor Inspectorate does not cover fuel costs, per diem, or office supplies; the Inspectorate does not own any vehicles.(13)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Burundi did not take actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	No (39)	No (13)
Training on New Laws Related to the Worst Forms of Child Labor	No (39)	N/A (13)
Refresher Courses Provided	Yes (18)	Yes (13, 42)
Number of Investigations		
Number of Violations Found	N/A	0 (13)
Number of Prosecutions Initiated	0 (39)	0 (13)
Number of Convictions	Unknown	0 (13)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (22)	No (13)

During the reporting period, no training was provided for criminal investigators. Further, 11 people were arrested for child trafficking and forced labor crimes; however, none of the cases were investigated and all of the suspects were released.(13)

In 2016, government officials received a two-and-a-half day counter-trafficking training to clarify the distinctions between trafficking and smuggling, review legislation on human trafficking, enhance victim identification skills, and illuminate best practices on the treatment of victims.(42)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Multi-Sector Committee for the Elimination of the Worst Forms of Child Labor	Coordinate efforts to combat the worst forms of child labor, including implementation of community development programs that address the education and socioeconomic reintegration of children engaged in or removed from the worst forms of child labor.(38, 43, 44) Comprises nine ministries, including the Ministry of Labor, organizations and representatives from UNICEF, youth associations, and civil-society organizations.(7)
Trafficking in Persons Permanent Commission	Oversee national anti-trafficking in persons efforts, including implementation of the National Action Plan for Combating Trafficking in Persons.(17, 45) Comprises officials from the Ministry of National Solidarity, Human Rights, and Gender (MSNDPHG) and the Ministries of Justice, Public Security, Foreign Affairs, and Interior.(7)
Ministry of National Solidarity, Human Rights, and Gender (MSNDPHG)	Coordinate, monitor, and oversee children’s advocacy and family service programs conducted by public and private organizations. Develop policies and national laws on the promotion and protection of children and families.(46) Refer cases to police officers and judicial officials for enforcement through its Child Protection Committees at local levels; victims are referred to local NGOs for social services.(22) In 2016, the Labor Inspectorate reported that the entity continued to operate and did not require financial resources as it is based within the communities.(47)

In 2016, the National Multi-Sector Committee for the Elimination of the Worst Forms of Child Labor and the Trafficking in Persons Permanent Commission were not operational.(13, 48)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
National Revised Action Plan for the Fight Against the Worst Forms of Child Labor (2014–2016)	Aimed to eliminate all of the worst forms of child labor by 2015 and contribute to the elimination of all forms of child labor by 2025.(44) Research was unable to determine any updates in 2016.(47)
National Action Plan for Combatting Trafficking in Persons (2014–2017)	Aims to significantly reduce human trafficking in Burundi by 2017 through the adoption of political, social, economic, and institutional measures.(45) Identifies women and children as being the most vulnerable to human trafficking, noting sectors of high prevalence and human trafficker profiles. (15, 45) Research was unable to determine any updates in 2016.(47)
UNDAF (2012–2016)	Plans to develop a database for information on the worst forms of child labor, and legislation and regulations for the education and training of children and adolescents.(49) Research was unable to determine any updates in 2016.(47)

[‡] The Government had other policies that may have included the goal of eliminating or preventing child labor, including its worst forms.(47, 50)

The Government has not included child labor elimination and prevention strategies in the Poverty Reduction Strategy Paper.(14, 20, 38)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Centers for Family Development [†]	MSNDPHG-operated centers that address human rights issues, including child exploitation, and reintegrate victims to their home communities.(22) Coordinate with Child Protection Committees to refer victims to local NGOs for care, when necessary.(22) In 2016, no activities were held due to a decrease in public funding.(47)
“Back to School” Campaign [†]	UNICEF and the Ministry of Education launched and completed the 2016 “Back to School” campaign, to promote the equitable access and retention in school of 2.6 million basic education students, half girls. In 2016, 32,000 teachers received teaching and learning materials.(25)

[†] Program is funded by the Government of Burundi.

Research found no evidence that the Government has carried out programs to assist children in agriculture or victims of commercial sexual exploitation. Further, the scope of existing programs is insufficient to fully address the extent of the child labor problem.

Burundi

MINIMAL ADVANCEMENT

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Burundi (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Criminally prohibit the use of children in illicit activities, particularly in the production and trafficking of drugs.	2015 – 2016
	Establish by law a compulsory education age equal to or higher than the minimum age for work.	2009 – 2016
	Ensure that all children are protected by law, including children working outside of formal employment relationships.	2015 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2012 – 2016
	Ensure that the prohibitions against hazardous work for children under age 18 are comprehensive.	2016
Enforcement	Publish information regarding the type of labor inspections conducted.	2013 – 2016
	Increase the number of labor inspectors to meet ILO recommended number of inspectors, and provide sufficient training and resources to all inspectors to ensure that labor inspections, including unannounced and routine targeted inspections, are conducted nationwide.	2009 – 2016
	Establish a referral mechanism between criminal authorities and social service providers.	2009 – 2016
	Provide sufficient training and resources to ensure that criminal investigations and prosecutions take place.	2009 – 2016
Coordination	Ensure that the National Multi-Sector Committee for the Elimination of the Worst Forms of Child Labor and the Trafficking in Persons Permanent Commission make efforts to combat and prevent child labor, including its worst forms.	2015 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into the Poverty Reduction Strategy Paper.	2012 – 2016
	Take steps to implement the National Action Plan for Combatting Trafficking in Persons, the National Revised Action Plan for the Fight Against the Worst Forms of Child Labor, and UNDAF.	2015 – 2016
Social Programs	Increase access to education by eliminating school-related costs for books and uniforms, increasing the number of well-trained educators, expanding the infrastructure, and increasing birth registration rates to ensure that children have access to education services.	2015 – 2016
	Institute and expand existing programs to address child labor, including in agriculture and commercial sexual exploitation.	2009 – 2016
	Increase public funding for the Centers for Family Development to undertake activities.	2016

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Cabo Verde

MODERATE ADVANCEMENT

In 2016, Cabo Verde made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government approved a National Plan to Combat Sexual Violence Against Children and Adolescents and expanded the Code of Ethics Against the Sexual Exploitation of Children to Fogo Island. However, children in Cabo Verde perform dangerous tasks in agriculture. Laws do not provide protection for self-employed children and children engaged in un-paid work. In addition, social programs do not target all sectors in which children work.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Cabo Verde perform dangerous tasks in agriculture.⁽¹⁾ Table 1 provides key indicators on children's work and education in Cabo Verde.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	3.2 (2,392)
Attending School (%)	5 to 14	90.1
Combining Work and School (%)	10 to 14	1.7
Primary Completion Rate (%)		102.2

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.⁽²⁾

Source for all other data: Understanding Children's Work Project's Analysis of Statistics from *Inquérito as Despesas e Receitas Familiares, 2001–2002*.⁽³⁾

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, activities unknown (1, 4)
	Raising livestock (1, 5, 6)
	Fishing, activities unknown (1, 4, 6)
Industry	Treating water (1)
	Construction, including extracting sand (7)
Services	Domestic work (1, 6, 8)
	Street work, including vending, garbage scavenging, [†] car washing, and begging (6, 8)
	Working in hotels and restaurants (1)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (6, 8-10)
	Use in illicit activities, including drug trafficking (6, 11)

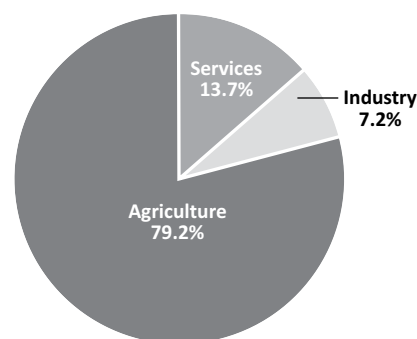
[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Limited research found commercial sexual exploitation of both boys and girls, including in the tourism industry, occurs in Mindelo, Praia, and Santa Maria.⁽⁸⁾






Figure 1. Working Children by Sector, Ages 10-14



II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Cabo Verde has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Cabo Verde's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	15	Article 261 of the Labor Code (12)
Minimum Age for Hazardous Work	Yes	18	Article 264 of the Labor Code; Article 133 of the Civil Code (12, 13)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 264 and 267 of the Labor Code; National List of Dangerous Work for Children (12, 14)
Prohibition of Forced Labor	Yes		Article 14 of Chapter 3 of the Labor Code; Articles 149, 271, and 271-A of the Penal Code (12, 15)
Prohibition of Child Trafficking	Yes		Articles 149 and 271-A of the Penal Code (15)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 144, 145, 148–150, and 271-A of the Penal Code (15)
Prohibition of Using Children in Illicit Activities	Yes		Article 8 of the Drug Trafficking Law (16)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Article 2 of the Military Service Law (17)
State Voluntary	Yes	17	Article 31 of the Military Service Law (17)
Non-state Compulsory	Yes	18	Article 268-C of the Penal Code (15)
Compulsory Education Age	Yes	15 [‡]	Articles 13 and 20 of the Education Law (18)
Free Public Education	Yes		Article 14 of the Education Law (18)

[‡] Age calculated based on available information (18)

The law's minimum age protections do not apply to children who are self-employed or engaged in unpaid work.(12, 19) The Civil Code allows children age 14 to conduct light work; however, the law does not prescribe the number of hours per week permissible for light work, or specify the conditions under which light work may be undertaken.(13, 19)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Inspector General for Labor (IGT)	Monitor and enforce child labor laws; work closely with the Cabo Verdean Institute for Children and Adolescents (ICCA).(20, 21)
Judicial Police and National Police	Judicial Police conduct criminal investigations; National Police make arrests related to the worst forms of child labor, including human trafficking.(21, 22)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Cabo Verde took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	14 (5)	14 (23)
Inspectorate Authorized to Assess Penalties	Yes (24)	Yes (24)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (5)	Unknown
Training on New Laws Related to Child Labor	Yes (5)	Unknown
Refresher Courses Provided	Yes (5)	Unknown
Number of Labor Inspections	Unknown	Unknown
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	Unknown	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown
Number of Penalties Imposed that Were Collected	Unknown	Unknown
Routine Inspections Conducted	Yes (5)	Yes (23)
Routine Inspections Targeted	Yes (5)	Yes (23)
Unannounced Inspections Permitted	Yes (5)	Yes (23)
Unannounced Inspections Conducted	Yes (5)	Yes (23)
Complaint Mechanism Exists	Yes (5)	Yes (23)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (5)	Yes (23)

The Inspector General for Labor (IGT) does not have national coverage because there is only representation on Sal, Santiago, and São Vicente Islands.(23) When IGT inspectors find a case of child labor, they inform the Cabo Verdean Institute for Children and Adolescents (ICCA) of the case for referral to social service providers.(5) In 2016, 18 children were removed from exploitative work and referred to the appropriate social services.(23)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Cabo Verde took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	No (5)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	No (5)	Unknown
Refresher Courses Provided	Unknown (5)	Unknown
Number of Investigations	Unknown (5)	1 (10)
Number of Violations Found	Unknown (5)	Unknown
Number of Prosecutions Initiated	Unknown (5)	Unknown
Number of Convictions	0 (5)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Yes (23)

In 2016, officials investigated a group of individuals for allegedly forcing girls into commercial sexual exploitation.(10)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Committee for Child Labor Prevention and Eradication in Cabo Verde (CNPETI)	Coordinate the execution of the National Action Plan for the Prevention and Eradication of Child Labor. Supervised by ICCA.(22, 25)
ICCA's National Unit for the Prevention and Elimination of Child Labor	Coordinate and monitor the implementation of all national programs and activities to prevent and combat child labor. Counsels victims of child labor and their families.(26)
Children and Adolescent Committee to Prevent and Combat Sexual Abuse and Exploitation	Contribute to the prevention and elimination of child sexual exploitation by coordinating the activities of member organizations and public and private services.(22) Led by ICCA.(27)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[†]

Policy	Description
National Action Plan for the Prevention and Eradication of Child Labor	Prioritizes the eradication of child labor. Outlines specific objectives, including data collection, institutional capacity building, and enhancement of measures to prevent, protect, and remove children from involvement in child labor.(25)
National Plan to Combat Sexual Violence Against Children and Adolescents (2017-2019) [†]	Aims to prevent and combat the sexual exploitation of children.(28) In 2016, ICCA conducted a public presentation of the Plan.(29)
Code of Ethics Against the Sexual Exploitation of Children	Guides and governs agencies involved in the tourism sector to combat the sexual exploitation of children and adolescents.(30)

[†] Policy was approved during the reporting period.

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(31)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Child Labor Awareness Campaigns	Government program implemented by ICCA and the National Committee for Child Labor Prevention and Eradication that conducts national awareness campaigns on the worst forms of child labor.(32) In 2016, ICCA conducted awareness raising activities on the National List of Dangerous Work for Children in Boa Vista, Fogo, and Santiago islands.(29)
Help for At-Risk Children [†]	ICCA-implemented program that provides education, health services, and professional training to vulnerable children and their families. Eight day centers for street children vulnerable to sexual and labor exploitation operate on Boa Vista, Fogo, Sal, Santiago, Santo Antão, and São Vicente islands.(33)
Child Emergency Centers and Social Protection and Reintegration Centers [†]	ICCA-implemented program that operates emergency centers for child victims of abuse and sexual exploitation on Santiago, Santo Antão, and São Vicente Islands.(22, 25, 33) The Government also operates five social protection and reintegration centers that provide support and educational integration services to children who have experienced long-term trauma.(5, 8, 22, 33)
Government Efforts to Increase Access to Education [†]	Donor-funded programs implemented by the Government that ensure access to education for disadvantaged children by paying for school fees, materials, and meals.(24)

[†] Program is funded by the Government of Cabo Verde.

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Research found that programs to assist children involved in agriculture and domestic work are not sufficient to address the scope of the problem.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Cabo Verde (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all children are protected by law, including children who are self-employed or engaged in unpaid work.	2015 – 2016
	Prescribe the number of hours per week and conditions under which light work may be undertaken.	2015 – 2016
Enforcement	Make law enforcement data publicly available, including information on the labor inspectorate's funding, training for labor inspectors, number and type of labor inspections conducted, number of child labor violations found, as well as the training for criminal investigators, number of violations found during criminal investigations, prosecutions initiated, and convictions achieved.	2011 – 2016
	Ensure that the IGT receives adequate resources to conduct labor inspections on all islands.	2014 – 2016
Social Programs	Conduct research to determine specific activities related to children's work in agriculture to inform policies and programs.	2013 – 2016
	Institute programs to address child labor in agriculture and domestic work.	2010 – 2016

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In 2016, Cambodia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted the National Plan of Action on Worst Forms of Child Labor and approved guidelines for addressing child labor in the fisheries sector. The Government also established standardized inspection guidelines to increase the effectiveness of child labor law enforcement. However, children in Cambodia perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation. Due to challenges in accessing basic education and the absence of a compulsory education requirement, children are vulnerable to involvement in the worst forms of child labor. Inadequate resources and training hamper the labor inspectorate's capacity to enforce child labor laws, especially in rural areas and in risk-prone sectors.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Cambodia perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation.(1-5) Table 1 provides key indicators on children's work and education in Cambodia.

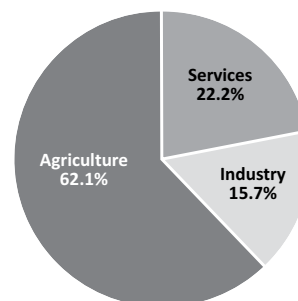
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	9.4 (276,583)
Attending School (%)	5 to 14	85.4
Combining Work and School (%)	7 to 14	9.1
Primary Completion Rate (%)		95.2

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Labour Force and Child Labour Survey, 2012.(7)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Fishing, including deep-sea† and night fishing† (1, 8, 9)
	Peeling shrimp and shucking crabs (8, 10, 11)
	Production of tobacco, cassava, rubber, and rice (2, 9)
	Growing, cutting, carrying, and spraying pesticides† on sugarcane (3, 4, 12-14)
	Logging† for the production of timber (1)
Industry	Making bricks,† including feeding clay into brick-making machines, drying bricks, transporting bricks to the oven,† and loading bricks onto trucks (1, 2, 15-18)
	Production of salt (2, 19)
	Construction,† including operating transportation equipment† (1, 20)
	Production of textiles, including bleaching,† dyeing,† and finishing with chemicals;† garments; and footwear (1, 21-23)
	Production of alcoholic beverages† (1)
	Work in slaughterhouses† for the production of meat† (1)
	Manufacturing of wood and metal† products (1, 2)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Services	Domestic work (1, 24, 25)
	Work as security guards† and in entertainment,† including as bartenders,† masseurs,† dancers,† and waiters† (1)
	Street work, including begging, vending, scavenging, and collecting garbage (2, 20)
	Work as garbage pickers in dumpsites (26, 27)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2, 5, 12, 28)
	Street vending as a result of human trafficking (29)
	Use in illicit activities, including drug trafficking (20)
	Forced labor in the production of bricks (18, 20)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Children are trafficked for commercial sexual exploitation, primarily from Cambodia to Thailand, from Vietnam to Cambodia, and within Cambodia.(5, 30) Children are also trafficked domestically, from rural to urban areas, and internationally, to countries such as Thailand and Vietnam, for forced labor in domestic service, begging, and street vending.(31) In Cambodian brick factories, some children engage in hazardous labor to offset family debt to employers.(18, 32)

Although the Education Law establishes free basic education, children may be charged additional school-related fees that are prohibitive for some families.(2, 20, 33) Other barriers to education include limited transportation to schools in remote areas, lack of drinking water and toilet facilities in some schools, and language barriers and an insufficient number of teachers for ethnic minority children.(2, 20, 25)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Cambodia has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Cambodia’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	15	Article 177 of the Labor Law (34)
Minimum Age for Hazardous Work	Yes	18	Articles 173 and 177 of the Labor Law; Regulation on the Prohibition of Hazardous Child Labor; Articles 339–340 of the Penal Code (34-36)

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Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 2 of the Regulation on the Prohibition of Hazardous Child Labor (35)
Prohibition of Forced Labor	Yes		Articles 15–16 of the Labor Law; Articles 10, 12, 15–17, and 19 of the Law on Suppression of Human Trafficking and Sexual Exploitation (34, 37)
Prohibition of Child Trafficking	Yes		Articles 10, 12, 15–17, and 19 of the Law on Suppression of Human Trafficking and Sexual Exploitation (37)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 15, 28, 33–37, and 41 of the Law on Suppression of Human Trafficking and Sexual Exploitation; Articles 284, 289, and 346 of the Penal Code (36, 37)
Prohibition of Using Children in Illicit Activities	Yes		Article 345 of the Penal Code; Articles 3 and 47 of the Law on Control of Drugs (36, 38)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	The Law on General Statutes for the Military Personnel of the Royal Cambodian Armed Forces (39, 40)
State Voluntary	Yes	18	Article 42 of the Law on General Statutes for the Military Personnel of the Royal Cambodian Armed Forces (39, 40)
Non-state Compulsory	No		
Compulsory Education Age	No		
Free Public Education	Yes		Article 31 of the Education Law (41)

In 2016, the Government of Cambodia adopted the Juvenile Justice Act, which stipulates that minors held in detention must not be subjected to forced labor.(42)

The Labor Law’s minimum age protections do not apply to domestic or household workers, which leaves children vulnerable to child labor in this occupation.(34, 43) Laws do not sufficiently prohibit commercial sexual exploitation of children, as the use or offering of a child for pornographic performances is not criminally prohibited. In addition, laws do not prohibit the recruitment of children under age 18 into non-state armed groups.

Education is free, but not compulsory, through grade nine.(41) The lack of compulsory schooling makes children under age 15 particularly vulnerable to child labor because they are not required to be in school but are not yet legally permitted to work.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Child Labor, Ministry of Labor and Vocational Training (MOLVT)	Enforce child-related provisions of the Labor Law and train Commune Committees for Women and Children that oversee local child labor monitoring systems.(44) Includes 24 MOLVT interdepartmental inspection teams.(25)
Cambodian National Police Anti-Human Trafficking and Juvenile Protection Department	Enforce laws against human trafficking and commercial sexual exploitation of children, in collaboration with municipal and provincial anti-human trafficking and juvenile protection offices. Commanded by the Ministry of the Interior.(20, 45) Field complaints about human trafficking, which can be filed through the anti-human trafficking hotline.(28)
Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY)	Accompany the police on investigations and refer victims of the worst forms of child labor to NGO services.(8)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Cambodia took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	\$197,200 (46)
Number of Labor Inspectors	408 (47)	499 (20)
Number of Child Labor Dedicated Inspectors	58 (47)	58 (20)
Inspectorate Authorized to Assess Penalties	Yes (47)	Yes (20)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (47)	Yes (20)
Training on New Laws Related to Child Labor	Yes (47)	N/A (20)
Refresher Courses Provided	Yes (47)	Yes (20)
Number of Labor Inspections	8,181 (47)	10,985 (20)
Number Conducted at Worksite	2,713 (47)	6,518 (20)
Number Conducted by Desk Reviews	5,468 (47)	4,467 (20)
Number of Child Labor Violations Found	Unknown (47)	230 (20)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (47)	23 (20)
Number of Penalties Imposed that Were Collected	Unknown (47)	Unknown (20)
Routine Inspections Conducted	Yes (47)	Yes (20)
Routine Inspections Targeted	No (47)	Yes (20)
Unannounced Inspections Permitted	Yes (47)	No (20)
Unannounced Inspections Conducted	Yes (47)	N/A (20)
Complaint Mechanism Exists	Yes (47)	Yes (20)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (47)	Yes (20)

In 2016, the Department of Child Labor (DOCL) employed 33 inspectors based in Phnom Penh and 1 child labor inspector in each of Cambodia's 25 provinces.⁽⁴⁷⁾ During the reporting period, the Ministry of Labor and Vocational Training (MOLVT) developed and implemented standardized guidelines for conducting child labor inspections; however, the DOCL did not receive any funding for child labor-specific operations.⁽²⁰⁾ Although research indicates that the majority of child laborers reside in rural areas and work in the agriculture, forestry, and fishing sectors, child labor inspections are concentrated in the city of Phnom Penh and in formal-sector factories producing goods for export, such as textiles and garments.^(1, 20, 48)

The MOLVT has established regulations on hazardous work for children in several sectors, including in agriculture, brickmaking, fishing, tobacco, and cassava production; however, inadequate training limits the capacity of local level authorities to enforce these regulations.^(44, 49, 50) For example, in December, MOLVT inspectors visited various brick factories but found no child labor violations, despite numerous reports of children working in brick factories. In addition, sanctions for labor violations, including those related to child labor, are rarely imposed in accordance with the law.^(25, 48)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Cambodia took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (47)	Yes (20)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (47)	N/A (20)
Refresher Courses Provided	Yes (47)	Yes (20)
Number of Investigations	33 (47)	Unknown (20)
Number of Violations Found	73 (47)	46 (20)

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Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor (cont)

Overview of Criminal Law Enforcement	2015	2016
Number of Prosecutions Initiated	Unknown (47)	Unknown (20)
Number of Convictions	Unknown (47)	Unknown (20)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (47)	Yes (20)

In 2016, there were 15 to 20 Anti-Trafficking Police officers stationed in each of Cambodia's 25 provinces. During the reporting period, the Anti-Human Trafficking and Juvenile Protection Department (AHTJP) trained 108 police officers on relevant topics, including commercial sexual exploitation of children and child victim interview techniques.(20) The National Committee for Counter Trafficking, in collaboration with NGOs, also provided training on human trafficking to 1,380 law enforcement officials.(20) The Ministry of Interior, however, has not yet introduced anti-human trafficking training into the curriculum of the Cambodian National Police academies.(51, 52)

According to the AHTJP, police rescued 230 children engaged in the worst forms of child labor in the first 9 months of 2016. The Ministry of Social Affairs, Veterans, and Youth Rehabilitation also identified 200 potential child trafficking victims, the majority of whom had been forced to beg or sell lottery tickets in Vietnam, and referred them to social services providers.(20)

In Cambodia, judges have discretion to determine whether perpetrators of crimes related to the worst forms of child labor will be imprisoned or fined, as well as the amount of the fine. In part, due to high levels of corruption within the judicial system, the penalties imposed are not uniformly administered and do not adhere to the parameters prescribed by law.(8, 31, 53)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Committee on Child Labor of the Cambodian National Council for Children	Coordinate child labor issues at the national level. Ensure that projects and programs follow the National Plan of Action on child labor. Includes concerned ministries, businesses, trade unions, and NGOs. Oversee Provincial Committees on the Protection of Child Rights and Provincial Committees on Child Labor.(54)
National Committee for Counter Trafficking	Coordinate government, civil society, and private sector efforts to address human trafficking. Focuses on prevention; protection, recovery, reintegration, and repatriation; law enforcement; justice; international cooperation; children's affairs; and migration.(55) Chaired by the Deputy Prime Minister and the Ministry of Interior, with 4 vice chair ministries and 14 participating ministries.(55) Oversee Provincial Committees for Counter Trafficking (PCCT) in each province.(52) In 2016, five additional PCCTs developed provincial plans of action and received funding for anti-human trafficking activities.(32)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor†

Policy	Description
National Plan of Action on Worst Forms of Child Labor (2016–2025)†	Aims to build the capacity of law enforcement officers, strengthen the enforcement of relevant laws, raise public awareness of child labor issues, and enhance child labor monitoring systems at the community level.(20)
National Policies on the Elimination of Child Labor in the Fisheries Sector	Two policies aimed at addressing child labor in the fisheries sector, including the National Plan of Action to Tackle Child Labor in Inland and Coastal Fisheries and the Action Plan for Gender Equality Promotion and Child Labor Elimination in the Fisheries Sector. These policies seek to prevent and withdraw children from child labor and promote increased access to education and livelihood opportunities.(56, 57) In 2016, the Fisheries Administration approved Guidelines on Child Labor in the Fisheries Sector, which specify actions needed to eliminate child labor in fishing.(58)
Policy on Childhood Development and Protection in the Agricultural Sector (2016–2020)	Establishes a strategic framework to protect children working in the agricultural sector. Goals include preventing and reducing child labor, especially in hazardous work, and improving agricultural vocational training for youth ages 15 through 17.(9)

Table 9. Key Policies Related to Child Labor[†] (cont)

Policy	Description
National Plan of Action on the Suppression of Human Trafficking, Smuggling, Labor, and Sexual Exploitation (2014–2018)	Aims to prevent and eliminate all forms of human trafficking, including by strengthening labor law enforcement to protect children from exploitation in entertainment venues; integrating anti-human trafficking and child safety issues into the public school curriculum; and promoting the inclusion of vulnerable children in both formal and informal education.(55)
The Education Strategic Plan (2014–2018)	Seeks to ensure equitable access to education and to improve the education system’s response to human trafficking and child labor.(59) In 2016, the Ministry of Education, Youth, and Sport approved the Child Friendly Schools guidelines on tackling child labor, which will be implemented nationwide.(60)
National Social Protection Strategy (2011–2015)	Aims to expand access to healthcare, nutrition, and educational services, and to promote the elimination of the worst forms of child labor.(46, 61) In 2016, MOSAVY finalized an updated strategy, which is awaiting final approval.(46)

[†] Policy was approved during the reporting period.

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor. (62-66)

Many poor households in rural communities struggle to access the services provided by the National Social Protection Strategy. Insufficient access to a social protection safety net increases the vulnerability of children to involvement in child labor as a means to supplement family income.(67)

The Government has not specifically included child labor elimination and prevention strategies in the National Employment Policy and the Multilingual Education National Action Plan.(68, 69)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
Commune Committees for Women and Children [†]	MOLVT and provincial government advisory entities that raise awareness about child labor regulations, promote school attendance, collaborate with provincial labor departments to monitor for child labor violations, and refer children at risk of or engaged in child labor to protection services.(20, 44, 70)
Cambodians EXCEL: Eliminating Exploitative Child Labor through Education and Livelihoods (2012–2016)	\$10 million, USDOL-funded, 4-year project to combat child labor in agriculture, fishing, and domestic service. Provided educational services to a total of 29,755 child laborers and at-risk children and livelihoods support services to 14,291 households.(67) In 2016, contributed to the finalization and approval of the National Plan of Action on the Worst Forms of Child Labor.(60) Additional information is available on the USDOL Web site .
Cambodia Countering Trafficking in Persons (2015–2019)	\$8.5 million, USAID-funded, 4-year program implemented by Winrock International to strengthen the capacity of government and community stakeholders to prevent human trafficking, protect at-risk populations, and increase the number of successful prosecutions of perpetrators.(71, 72)
Better Factories Cambodia	USDOL, Government of Cambodia, Garment Manufacturers in Cambodia, and ILO-funded program to monitor garment factories’ compliance with national and international labor standards, including those related to child labor.(73) In 2016, identified 16 underage workers in garment factories. In 12 of the 16 cases, factories agreed to participate in a remediation program.(73) Additional information is available on the USDOL Web site .
UN WFP Country Program (2011–2018)	Multi-government and private sector-funded, 8-year program implemented in collaboration with the Government of Cambodia that includes a school feeding program for children in need. In 2016, provided food assistance to 29,120 people.(74)

[†] Program is funded by the Government of Cambodia.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(75)

Although Commune Committees for Women and Children serve an important role in awareness raising and child labor monitoring at the local level, these committees are underfunded and have insufficient technical capacity to facilitate provision of adequate social protection services to children involved in or at risk of child labor.(70)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Cambodia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law's minimum age provisions apply to children working as domestic workers.	2009 – 2016
	Ensure that laws criminally prohibit the offering and use of a child for pornographic performances.	2015 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Institute a compulsory education age that is at a minimum equal to the minimum age for work.	2009 – 2016
Enforcement	Collect and publicly release data on the number of penalties collected for child labor violations and on the number of investigations, prosecutions, and convictions for crimes related to the worst forms of child labor.	2015 – 2016
	Provide sufficient resources for the enforcement of child labor laws to ensure that inspections are conducted throughout the country, especially in rural areas and in the informal sector.	2010 – 2016
	Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2009 – 2016
	Strengthen the labor inspection system by permitting and conducting unannounced inspections.	2016
	Build the capacity of local-level authorities to enforce child labor regulations, including in agriculture, tobacco, cassava, and fishing.	2012 – 2016
	Increase anti-human trafficking training for law enforcement officers, including at Cambodian National Police academies.	2014 – 2016
Government Policies	Uniformly administer penalties for violations of laws on child labor, including its worst forms, in accordance with the parameters prescribed by law.	2009 – 2016
	Expand coverage of the National Social Protection Policy in rural areas to ensure that poor children and their families have access to services that may mitigate the risk of involvement in child labor.	2016
	Integrate child labor elimination and prevention strategies into the Multilingual Education National Action Plan and the National Employment Policy.	2015 – 2016
Social Programs	Increase access to free basic education by eliminating unofficial school fees and addressing issues related to limited transportation, inadequate school infrastructure, insufficient number of teachers, and language barriers.	2013 – 2016
	Increase funding and enhance training for Commune Committees for Women and Children to enhance child labor monitoring and social services provision at the subnational level.	2016

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- see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
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In 2016, Cameroon made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government passed a new penal code, which incorporated elements of the 2011 Anti-Trafficking Law; launched a \$12 million Food for Education and Child Nutrition Program; and negotiated the identification and repatriation of 14 girls who were trafficked to Kuwait, Lebanon, and the United Arab Emirates for forced labor in domestic work. However, children in Cameroon perform dangerous tasks in cocoa production and engage in the worst forms of child labor, including in commercial sexual exploitation. The Government has not ratified the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, nor has it prohibited the use of children in illicit activities, including the production and trafficking of drugs.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Cameroon perform dangerous tasks in cocoa production. Children also engage in the worst forms of child labor, including in commercial sexual exploitation.(1-5) Table 1 provides key indicators on children’s work and education in Cameroon.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	56.2
Attending School (%)	5 to 14	79.7
Combining Work and School (%)	7 to 14	52.7
Primary Completion Rate (%)		73.9

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(6)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Enquête Démographique et de Santé et à Indicateurs Multiples, 2011.(7)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of bananas, cocoa, coffee, onions, palm oil, rubber, and tea, including handling pesticides, machetes, clearing fields, climbing trees, and lifting heavy loads† (4, 5, 8-15) Raising livestock (4, 13) Fishing (4, 13, 16)
Industry	Working in <i>artisanal</i> gold mines† and gravel quarries,† transporting heavy loads† of sand or gravel, breaking stones, and digging or standing in stagnant water to extract minerals (3, 12, 13, 15-17) Construction, including carrying heavy loads† of water, concrete, cement, and bricks (12, 13, 15)
Services	Domestic work (4, 12, 13, 15, 18) Working in transportation (12, 13) Street work, including carrying heavy luggage,† vending, and begging (11-13, 15, 19-22)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2, 3, 13, 15, 20, 23-25) Forced recruitment of children by non-state armed groups for use in armed conflict, including as suicide bombers and concubines (26-34) Forced labor in agriculture in the production of cocoa, cotton, onions, and tea; fishing; livestock raising; domestic work; spare parts shops; in <i>artisanal</i> gold mines and gravel quarries; street vending; and construction, each sometimes as a result of human trafficking (3, 13, 15, 25) Forced begging as <i>talibés</i> in Koranic schools (12, 35, 36)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

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Cameroon is a source, transit, and destination country for child trafficking from neighboring countries in Central and West Africa.(3, 12, 22, 37) Some parents may entrust their children to intermediaries who pretend to offer education and employment opportunities but instead subject the child to forced domestic work as a result of internal human trafficking.(25, 29) However, improved public awareness about this type of child trafficking has reduced this practice, and perpetrators are increasingly resorting to kidnapping children for human trafficking purposes.(3) Enforcement officials are also becoming more vigilant about requiring parental authorization for children traveling without their parents, and border crossings are increasingly well monitored, particularly at the borders of Nigeria and the Central African Republic.(3)

Although Decree N° 2001/041 on the Organization of Public Schools guarantees free education in Cameroon, families are required to pay for uniforms, books, and other school-related fees.(11, 22, 38-42) A lack of schools and teachers in rural areas also hinders access to education.(19, 22, 40, 41, 43) In addition, children in refugee camps have difficulty accessing education due to a lack of school infrastructure, teachers, language barriers, and resources to pay for school-related expenses.(41, 44-47) Numerous attacks by *Boko Haram* have closed many schools in northern Cameroon, but some schools reopened for the 2016–2017 school year. Although the Government has dedicated \$8.7 million to reconstruct schools in the Far North region, some contractors and teachers are unwilling to work in areas affected by *Boko Haram*.(22, 27, 33, 34, 36, 39, 44, 45, 48-51) Teacher and student strikes in the Northwest and Southwest regions at the end of 2016 also disrupted students' access to education.(36, 52-54)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Cameroon has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Cameroon's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Section 86 of the Labor Code; Article 2 of Order N° 017 on Child Labor (55, 56)
Minimum Age for Hazardous Work	Yes	18	Articles 9–23 of Order N° 017 on Child Labor; Section 86 of the Labor Code (55, 56)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 9–23 of the Order on Child Labor (56)
Prohibition of Forced Labor	Yes		Sections 1–6 of the Law Relating to the Fight Against Trafficking in Persons and Slavery; Articles 11, 342-1, 352, and 353 of the Penal Code; Section 2 of the Labor Code (55, 57, 58)
Prohibition of Child Trafficking	Yes		Sections 1–6 of the Law Relating to the Fight Against Trafficking in Persons and Slavery; Articles 11, 342-1, and 352–354 of the Penal Code (57, 58)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 294 and 344–347 of the Penal Code; Articles 76, 81, and 82 of the Law on Cybersecurity and Cybercriminality (57, 59)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Military Recruitment			
State Compulsory	Yes*	18	Article 12 of the Decree Concerning the Status of Non-Defense Military Personnel; Article 2a of the Decree Establishing the Conditions for Admission to Military Training Schools for Officers (60, 61)
State Voluntary	Yes	18	Article 12 of the Decree Concerning the Status of Non-Defense Military Personnel; Article 2a of the Decree Establishing the Conditions for Admission to Military Training Schools for Officers (60, 61)
Non-state Compulsory	No		
Compulsory Education Age	No	12‡	Preamble of the Constitution; Articles 9 and 16 of the Law Orienting the Education System (57, 62-64)
Free Public Education	Yes		Articles 46 (2), 47, and 48 of the Decree on the Organization of Public Schools (42)

* No conscription (65)

‡ Age calculated based on available information (39)

A new Penal Code was passed in July 2016, which includes a new provision punishing parents with a fine of \$80–\$800 if they choose not to enroll their children in school, despite having adequate means. The new Penal Code also incorporated the 2011 Law Relating to the Fight Against Trafficking in Persons and Slavery.(57) However, the human trafficking provisions remain discordant with international standards, as they require threats, the use of force, or coercion to be established for the crime of child trafficking, and individuals ages 16 to 18 are not considered children.(57, 58) In addition, the types of hazardous work prohibited for children under age 18 are not comprehensive, as work under water or work at dangerous heights are not prohibited.(18, 56) The Government has acknowledged the need to update the hazardous work prohibitions and is planning to incorporate updates into a revision of the Labor Code.(11, 18)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MINTSS)	Lead efforts to enforce child labor laws, promote decent working conditions, and lead the National Committee to Combat Child Labor (CNLCCTE).(11, 66, 67) Advocate on behalf of victims, present complaints to court, and provide social services to victims of child labor.(68)
Ministry of Justice (MOJ)	Prosecute cases referred by the General Delegate for National Security (DGSN) or the Ministry of Defense's National Gendarmerie (SED) and contribute to investigations as appropriate.(13, 68)
Ministry of Social Affairs (MINAS)	Lead efforts to combat human trafficking, provide social services and repatriation assistance to victims according to the National Referral System, and maintain a hotline for reporting child labor violations.(11, 13, 29, 69, 70) Through its Minors Brigade, work with local police stations to investigate child trafficking and the use of children in hazardous work.(8, 71, 72) Through its Joint Mobile Brigade, prevent and combat the phenomenon of street children through identification, reintegration, and education.(8, 73)
Ministry of Women's Empowerment and Family (MINPROFF)	Promote and protect the rights of the child, including by combating sex tourism and the commercial sexual exploitation of children.(11)
Ministry of Defense's National Gendarmerie (SED)	Enforce criminal laws against child trafficking and investigate violations of child labor laws in both rural and urban areas.(13, 73) Conduct initial investigations before referring cases to the MOJ or Ministry of Defense.(13)

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Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
General Delegate for National Security (DGSN)	Enforce laws against the worst forms of child labor and investigate violations in urban areas.(13, 73) Through its Special Vice Squad, investigate cases of human trafficking, commercial sexual exploitation, and other forms of abuse against women and children through regional and international police cooperation.(13, 18) Refer cases to the MOJ or Ministry of Defense.(13)
Ministry of Territorial Administration and Decentralization	Enforce child labor laws at the regional level. Local representatives may settle child labor disputes amicably or refer the case to the SED, DGSN, or MOJ for further investigation and prosecution.(73)

Although many agencies may be involved in the investigation and prosecution of a case, there is no official mandate requiring them to work together or hierarchically. In theory, this allows a greater number of cases to be addressed, but research was unable to determine whether this was the case.(13)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Cameroon took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown* (1)	\$635,610 (74)
Number of Labor Inspectors	79 (1)	80 (13)
Inspectorate Authorized to Assess Penalties	Yes (55)	Yes (55)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (1)	Yes (13)
Training on New Laws Related to Child Labor	N/A	No (13)
Refresher Courses Provided	No (1)	Unknown (13)
Number of Labor Inspections	Unknown* (1)	Unknown* (13)
Number Conducted at Worksite	Unknown* (1)	Unknown* (13)
Number Conducted by Desk Reviews	Unknown* (1)	Unknown* (13)
Number of Child Labor Violations Found	Unknown* (1)	Unknown* (13)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown* (1)	Unknown* (13)
Number of Penalties Imposed That Were Collected	Unknown* (1)	Unknown* (13)
Routine Inspections Conducted	Yes (1)	Yes (13)
Routine Inspections Targeted	No (1)	Unknown (13)
Unannounced Inspections Permitted	Yes (55)	Yes (13)
Unannounced Inspections Conducted	Yes (1)	Yes (13)
Complaint Mechanism Exists	Yes (1, 75)	Yes (13)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (75)	Yes (13)

* The Government does not publish this information.

The number of labor inspectors is insufficient for the size of Cameroon's workforce, which includes over 9 million workers.(76) According to the ILO recommendation of 1 inspector for every 15,000 workers in industrializing economies, Cameroon should employ roughly 607 labor inspectors.(76-78) The Labor Inspectorate lacked the necessary resources to carry out its mandate during the reporting period, and inspectors were tasked with reconciliation duties, which may detract from time devoted to their primary duties.(13, 39, 55) In addition, child labor violations are not specifically targeted during inspections because existing legislation does not explicitly extend to the informal sector in which the majority of child labor occurs.(13, 79) Although the Ministry of Social Affairs (MINAS), Interpol, and the police all maintain hotlines for reporting the worst forms of child labor, research was unable to determine how many cases of child labor were identified as a result of complaints made to these lines.(18, 75)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Cameroon took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (1)	Yes (13)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	No (13)
Refresher Courses Provided	No (1, 66)	No (13)
Number of Investigations	17 (66)	13 (29, 74)
Number of Violations Found	Unknown* (1)	119 (13, 74)
Number of Prosecutions Initiated	20 (14)	9 (29, 80)
Number of Convictions	2 (66)	Unknown (29)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1, 20, 25)	Yes (13)

* The Government does not publish this information.

It is unclear how many investigators the Government employed in 2016, although officers from the National Police and National Gendarmerie, Special Vice Squad, and Cameroon Border Police all worked to enforce criminal laws related to the worst forms of child labor. In general, these agencies do not receive adequate funding or training to investigate the worst forms of child labor, and high staff turnover is a challenge.(3, 13, 37, 39) As a result, the Government relies heavily on NGOs to bring child trafficking cases to its attention and provide services to victims.(3, 37) The Government acknowledges that a lack of awareness of child trafficking issues also prevents Cameroonian citizens from reporting offenses to enforcement agencies and that children may be afraid to speak against perpetrators in court.(29, 37) There are also some reports that the Government holds boys in detention for prolonged periods due to suspicion of being affiliated with *Boko Haram* elements.(28, 49, 50, 81, 82)

There are no comprehensive statistics on criminal child labor law violations, although two regional task forces and local NGOs reported at least five cases of child trafficking in 2016, some of which were settled outside the judicial system.(13) The Government prosecuted 11 cases related to human trafficking, nine of which involved children. These prosecutions resulted in seven convictions, but the Government did not disaggregate the convictions by cases involving minors.(74) Convictions in two cases of child trafficking initiated in the previous reporting period ultimately were prosecuted as other crimes. In one instance, a 14-year-old victim was punished for stealing a cow as compensation for forced labor, and in the other, a local mayor and five others were sentenced to 8 years of imprisonment and a fine of \$48,800 for kidnapping a 14-year-old girl.(29) Research indicates some government officials in the Northwest region were also investigated for complicity in a child trafficking ring during the reporting period.(29)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Committee to Combat Child Labor (CNLCTE)	Coordinate government efforts to eradicate child labor by 2017, propose measures to harmonize Cameroon's legal framework to international standards, and implement the National Plan of Action to Combat Child Labor and Trafficking in Children (PANETEC).(67, 83, 84) Led by MINTSS.(67, 83)
Inter-Ministerial Committee (IMC)	Coordinate government efforts to combat human trafficking; chaired by the Secretary General of the Office of the Prime Minister and includes members of eight ministries, law enforcement personnel, civil society organizations, and NGOs.(29, 37) Oversee two Regional Taskforces on Trafficking in Persons.(14, 29, 85)

The CNLCTE and IMC failed to meet in 2016 due to a lack of funding, and the Regional Taskforces on Trafficking in Persons were ineffective during the reporting period.(29, 74) This severely hindered government efforts to coordinate and share relevant information between government offices and stakeholders in the NGO community.(36, 37)

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V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
PANETEC (2014–2016)	Aimed to eradicate the worst forms of child labor by 2016, including forced domestic work. Reinforced the Government’s institutional framework, including by harmonizing national laws with international standards, providing quality universal primary education, and allocating additional resources to the labor inspectorate.(11, 13, 86, 87)
Trafficking in Persons Action Plan (2014–2019)	Outlines efforts to combat human trafficking.(3)
MOJ’s National Action Plan for the Promotion and Protection of Human Rights in Cameroon (2015–2019)	Aims to combat exploitative child labor by disseminating standard operating procedures for the National Referral System, raising awareness about how to identify and report cases of child trafficking, increasing punishments for offenders, and building the capacity of labor inspectors.(13, 66, 88) Also aims to improve access to education for vulnerable groups by increasing the number of teachers and classrooms, establishing a legal framework to regulate parent–teacher associations, and increasing the rate of educational attainment for girls.(88)
Decent Work Country Program (2014–2017)	Incorporates child labor concerns into the strategy for work.(9)

The National Plan of Action to Combat Child Labor and Trafficking in Children (PANETEC) was endorsed by stakeholders in 2014, but the Government’s failure to formally endorse it limited its implementation.(13, 29, 89) Although routine activities carried out by various ministries may support policies related to child labor, no activities were undertaken to implement specific policies during the reporting period due to a lack of resources.(36) Furthermore, the Government has not included child labor elimination and prevention strategies into the PRSP (2010–2020), the UNICEF Country Program Action Plan (2013–2017), or the IMC’s National Gender Policy Document (2011–2020).(90–92)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
Project to Fight the Phenomenon of Street Children (Project 559) [†]	MINAS-funded program that gathers information on street children and offers health care, education, and psychosocial care.(3, 39) In 2016, provided shelter to 92 children removed from Boko Haram elements, identified and provided reintegration or reinsertion services to 265 street children, and facilitated primary education for 5,250 indigenous Baka children.(13)
Country Program Action Plan (2013–2017) [†]	UNICEF- and MINAS-implemented program that aims to improve social protection and preventive health care, and to ensure access to primary education.(1, 71, 92) In 2016, provided psychosocial support, identification, and reintegration or reinsertion services to children displaced by Boko Haram elements in the Far North region.(13)
School Feeding Programs	Programs that provide meals to improve educational access for girls.(8, 38) The \$12 million U.S. Department of Agriculture-funded McGovern-Dole International Food for Education and Child Nutrition Program* improves literacy and nutrition in 92 primary schools, benefitting 40,000 children in the Northwest region.(13) In 2016, the WFP provided meals to 3,200 children in northern Cameroon but discontinued its program after May due to lack of funding.(93)
Social Safety Nets (2014–2018)	\$50 million World Bank-funded program implemented by the Ministry of Economy, Planning, and Regional Development that provides direct cash transfers to vulnerable families in exchange for commitments by parents to send their children to school.(38) By the end of 2016, provided cash transfer or cash for work to 208,203 individuals in the regions of Adamaoua, the Far North, North, and the cities of Douala and Yaoundé.(94, 95)

[†] Program is funded by the Government of Cameroon.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(3, 13, 20, 29, 66, 73)

Although the Government has implemented programs to assist victims of child trafficking and children engaged in street work and domestic work, the scope of these programs is insufficient and does not fully address the extent of the problem; in addition, funding

was reduced during the reporting period.(1, 29) Government-run centers can temporarily house victims, but space is insufficient, and these centers are often staffed by law enforcement officials or employees without appropriate training.(37) In addition, research did not find evidence of programs to specifically address child labor in agriculture, mining, and quarrying.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Cameroon (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s)
Legal Framework	Ratify the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2016
	Criminally prohibit the use of children for illicit activities, including the production and trafficking of drugs.	2014 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Establish a minimum age for compulsory education that is consistent with the minimum age for admission to work.	2009 – 2016
	Ensure that the hazardous occupations and activities prohibited for children are comprehensive and include work under water or work at dangerous heights.	2014 – 2016
	Ensure that laws prohibiting child trafficking do not require threats, the use of force, or coercion to be considered child trafficking and that all children under age 18 are protected.	2015 – 2016
Enforcement	Significantly increase the number of labor inspectors according to the ILO recommendation.	2009 – 2016
	Collect and publish comprehensive statistics on enforcement efforts, including the total number and type of inspections conducted, violations found, penalties imposed, and convictions obtained.	2009 – 2016
	Ensure that labor inspectorates and criminal law enforcement agencies receive an adequate amount of funding with which to conduct inspections and investigations, and that labor inspectors are able to carry out their primary duties of inspection and monitoring.	2009 – 2016
	Strengthen the Labor Inspectorate by initiating targeted inspections based on analysis of data related to at-risk sectors and patterns of serious incidents, including in the informal sector.	2013 – 2016
	Ensure all hotlines for reporting the worst forms of child labor are operational and establish a mechanism to log all calls and track cases of child labor for referral to law enforcement or social services providers.	2015 – 2016
	Raise awareness of child trafficking issues to encourage citizens to report offenses to enforcement agencies.	2016
	Ensure that boys and girls are not held in detention without reasonable evidence of wrongdoing and that victims are not punished for the worst forms of child labor.	2015 – 2016
	Ensure government officials are not complicit in perpetuating the worst forms of child labor.	2016
Coordination	Ensure that existing coordinating mechanisms have clear mandates and are allocated sufficient resources to carry them out.	2014 – 2016
Government Policies	Ensure existing policies, such as PANETEC, receive adequate resources and are implemented.	2016
	Integrate child labor elimination and prevention strategies into the PRSP and the IMC's National Gender Policy Document.	2010 – 2016
Social Programs	Ensure that all children, regardless of refugee status, have access to education by eliminating school-related fees and teacher strikes. Make additional efforts to provide all children with birth registration.	2009 – 2016
	Ensure that the number of schools and teachers is adequate throughout the country.	2009 – 2016
	Expand existing programs to address the scope of the child labor problem in Cameroon and institute programs to address child labor in agriculture, mining, and quarrying.	2009 – 2016
	Ensure that all government-run shelters have sufficient space to accommodate victims and are staffed by employees with the appropriate training to support victims.	2016

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77. UN. "World Economic Situation and Prospects 2012 Statistical Annex." (2012); http://www.un.org/en/development/desa/policy/wesp/wesp_current/2012country_class.pdf. For analytical purposes, the Development Policy and Analysis Division (DPAD) of the Department of Economic and Social Affairs of the United Nations Secretariat (UN/DESA) classifies all countries of the world into one of three broad categories: developed economies, economies in transition, and developing countries. The composition of these groupings is intended to reflect basic economic country conditions. Several countries (in particular the economies in transition) have characteristics that could place them in more than one category; however, for purposes of analysis, the groupings have been made mutually exclusive. The list of the least developed countries is decided upon by the United Nations Economic and Social Council and, ultimately, by the General Assembly, on the basis of recommendations made by the Committee for Development Policy. The basic criteria for inclusion require that certain thresholds be met with regard to per capita GNI, a human assets index and an economic vulnerability index. For the purposes of the Findings on the Worst Forms of Child Labor Report, "developed economies" equate to the ILO's classification of "industrial market economies; "economies in transition" to "transition economies," "developing countries" to "industrializing economies, and "the least developed countries" equates to "less developed countries." For countries that appear on both "developing countries" and "least developed countries" lists, they will be considered "least developed countries" for the purpose of calculating a "sufficient number" of labor inspectors.
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In 2016, the Central African Republic made a moderate advancement in efforts to eliminate the worst forms of child labor. The National Assembly ratified the UN CRC Optional Protocol on Armed Conflict before submitting it to the President for approval, and the Government launched a National Recovery and Peacebuilding Plan. In addition, the Ministry of Education issued an official directive providing free school admission to children from internally displaced persons camps, and 1,526 child soldiers were released from armed groups under the Bangui Forum Agreement. However, children in the Central African Republic engage in the worst forms of child labor, including in illicit activities and armed conflict, sometimes as a result of forced or compulsory recruitment by nongovernmental armed groups. An estimated 1.4 million children lacked access to education as a result of ongoing instability, and limited resources hampered the Government's ability to implement policies and programs to address child labor, including its worst forms.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Central African Republic (CAR) engage in the worst forms of child labor, including in illicit activities and armed conflict, sometimes as a result of forced or compulsory recruitment by nongovernmental armed groups.(1-5) Table 1 provides key indicators on children's work and education in CAR.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	31.0 (373,742)
Attending School (%)	5 to 14	63.1
Combining Work and School (%)	7 to 14	28.0
Primary Completion Rate (%)		44.4

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2016.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2010.(7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Working in agriculture, activities unknown (1)
	Working in forestry, including carrying tools and assisting with slaughter (8)
	Fishing, activities unknown (1)
Industry	Diamond and gold mining† (1, 9-13)
	Working in sawmills, forges, and foundries, including sharpening sawblades and maintaining fires (1, 8)
	Construction, activities unknown (1)
Services	Domestic work (14)
	Street work, including carrying heavy loads, garbage scavenging, and market vending (1, 8, 9)
Categorical Worst Forms of Child Labor‡	Forced recruitment of children by non-state armed groups for use in armed conflict, including as porters, concubines, domestic workers, and guards (2, 3, 5, 15-26)
	Domestic work, working in agriculture, markets, and mining, including in diamond mines, each as a result of human trafficking (2, 26-28)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2, 26-31)
	Use in illicit activities, including as spies for armed forces and carrying stolen goods (2, 4, 5, 32, 33)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

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‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Sectarian violence has plagued CAR since 2013, and although a new President and National Assembly were elected in February 2016, the new Government has limited authority outside of the capital.(4, 24, 32, 34-36) Non-state armed groups continued to forcibly recruit children during the reporting period, some as young as age 8.(2, 3, 5, 22, 37-39) There was also a significant increase in the number of children abducted for forced soldering by the Lord’s Resistance Army (LRA), a rebel group that operates in CAR.(2, 25, 32, 38, 39) The Government worked with the UN Multidimensional Integrated Stabilization Mission in CAR (MINUSCA), UNICEF, and other partner agencies to prioritize these children’s demobilization and reintegration into community life.(1, 20, 35, 40) There were no new allegations of children in refugee camps subject to commercial sexual exploitation in exchange for food or other compensation by peacekeeping troops, although displaced children remain vulnerable to child trafficking and commercial sexual exploitation by organized criminal groups.(26, 41)

In 2016, the Ministry of Education issued an official directive providing free school admission to children from internally displaced persons (IDP) camps and waiving school exam fees for refugees, IDPs, and returnees.(26, 42-44) The Government has also waived birth registration requirements for primary school enrollment in areas still affected by conflict and is making a concerted effort to ensure all children have birth registration, including by providing free birth registration to all children born during the conflict, from 2012 – 2014, and by rebuilding the national civil administration.(24, 26, 28, 44-48) As birth registration is required for secondary school enrollment, lack of birth registration may be a barrier to education for some children.(41) An estimated 33 percent of school-age children had difficulty accessing education because of school fees, an absence of teachers, security concerns, and unavailability of schools, especially in rural areas.(4, 13, 26, 28, 34, 45, 49-52) As of April 2016, an estimated 25 percent of schools throughout the country were non-functional due to destruction, damage, or looting as a result of the conflict, and others were occupied by displaced civilians or armed groups, causing some students to lose more than 2 years of schooling.(3-5, 13, 15, 22, 24, 31, 33, 45, 46, 49, 50, 52-56) However, the Government indicates that with the exception of the three provinces in which conflict persists, 98 percent of schools reopened for the 2016–2017 school year.(26)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

CAR has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

In 2016, the Government ratified the African Charter on the Rights and Welfare of the Child.(43, 44) The National Assembly ratified the UN CRC Optional Protocol on Armed Conflict, and it is awaiting approval from the President.(8, 43, 44)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in CAR’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Article 259 of the Labor Code (57)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Hazardous Work	Yes	18	Article 263 of the Labor Code (57)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Article 262 of the Labor Code; Article 190 of the Mining Code (57, 58)
Prohibition of Forced Labor	Yes		Article 7 of the Labor Code; Article 151 of the Penal Code (57, 59)
Prohibition of Child Trafficking	Yes		Article 151 of the Penal Code (59)
Prohibition of Commercial Sexual Exploitation of Children	No		Article 262 of the Labor Code; Articles 90–93 and 110–111 of the Penal Code (57, 59)
Prohibition of Using Children in Illicit Activities	Yes		Article 262 of the Labor Code (57)
Minimum Age for Military Recruitment			
State Compulsory	Yes*	18	Article 22 of the Constitution; Articles 262 and 393 of the Labor Code (57, 60)
State Voluntary	No	N/A	Legislation title unknown (47)
Non-state Compulsory	Yes	18	Articles 262 and 393 of the Labor Code (57)
Compulsory Education Age	Yes	15	Ordinance N° 84/031 Orienting the Teaching System; Article 7 of the Constitution; Article 13 of Law N° 97/014 Orienting the Education System (60, 61)
Free Public Education	Yes		Ordinance N° 84/031; Article 7 of the Constitution (60, 61)

* No conscription (24, 60)

A draft of the Child Protection Code was revised to harmonize its protections with the CRC and was sent to the National Assembly for adoption.(26, 44) In 2016, the Government, with the support of UNICEF, conducted a study of child labor with the intention of updating the list of hazardous activities prohibited to children.(1) The existing types of hazardous work prohibited for children are not comprehensive and do not cover diamond mining, an area of work in which there is evidence of children working in hazardous conditions and carrying heavy loads.(9-11) Additionally, the law does not sufficiently prohibit the commercial sexual exploitation of children, as the possession and distribution of child pornography are not criminally prohibited.(57, 59)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Public Service, Modernization of Administration, Labor, Employment and Social Protection (MOL)	Monitor and enforce laws related to child labor.(1)
Ministry of Justice	Protect the rights of the child and combat the worst forms of child labor through its courts and tribunals.(8) In 2016, created a national Rapid Response for Child Protection team.(28, 62)
Ministry of Social Affairs, Promotion of Gender, and Humanitarian Action (MSA)	Oversee child soldier issues and lead the Government’s anti-trafficking policy efforts through the National Council on Child Protection. Refer victims of child trafficking to NGOs and maintain an orphanage for children at risk of child trafficking.(38, 47)
Special Criminal Court	Investigate serious human rights abuses committed since 2003, including the use of children in armed conflict. Comprises national and international magistrates.(12, 43, 63-65)

The Special Criminal Court was not operational in 2016, and the only functioning juvenile court in CAR lacks the staff and resources to conduct investigations.(3, 12, 13, 22, 25, 26, 35, 62, 63, 65, 66) The weak judicial system, absence of state authority

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outside the capital, and limited resources hinder the Government's ability to combat the worst forms of child labor.(3, 13, 24-26, 33, 38) In addition, all 135 lawyers in CAR are in Bangui, and some magistrates have been prevented from being deployed to the regions due to threats by armed groups or continued insecurity.(14, 25)

Labor Law Enforcement

In 2016, labor law enforcement agencies in CAR took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown* (14)	Unknown* (1)
Number of Labor Inspectors	41 (14)	Unknown* (1)
Number of Child Labor Dedicated Inspectors	5 (14)	Unknown* (1)
Inspectorate Authorized to Assess Penalties	Yes (67)	Yes (67)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (14)	Unknown* (1)
Training on New Laws Related to Child Labor	N/A (14)	N/A (1)
Refresher Courses Provided	Yes (14)	Yes (1)
Number of Labor Inspections	Unknown* (14)	Unknown* (1)
Number Conducted at Worksite	Unknown* (14)	Unknown* (1)
Number Conducted by Desk Reviews	Unknown* (14)	Unknown* (1)
Number of Child Labor Violations Found	Unknown* (14)	Unknown* (1)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown* (14)	Unknown* (1)
Number of Penalties Imposed That Were Collected	Unknown* (14)	Unknown* (1)
Routine Inspections Conducted	Yes (14)	Unknown* (1)
Routine Inspections Targeted	Yes (14)	Unknown* (1)
Unannounced Inspections Permitted	Yes (57)	Yes (1)
Unannounced Inspections Conducted	Yes (14)	Unknown* (1)
Complaint Mechanism Exists	Yes (14)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (14)	Yes (41)

* The Government does not publish this information.

Research indicates that violations were common in all sectors of the economy.(14, 67-69) Although child labor violations may be reported in person to the labor inspectorate in Bangui, there is no mechanism to report child labor violations in other parts of the country.(67) Although the Ministry of Public Service, Labor, Social Security, and Employment is supposed to work with the Ministry of Justice; Ministry of Social Affairs, Promotion of Gender, and Humanitarian Action; and UNICEF to provide assistance to victims of child labor, a lack of resources limited the ability of these ministries to provide adequate support to victims.(41, 67) During the reporting period, UNICEF provided training to regional directors and labor inspectors responsible for enforcing child labor laws.(1)

The number of labor inspectors is insufficient for the size of CAR's workforce, which includes over 2.4 million workers.(70) According to the ILO's recommendation of 1 inspector for every 40,000 workers in less developed economies, CAR needs about 56 inspectors.(70-72) The Government's efforts to combat child labor were hindered by a lack of labor inspectorate capacity and inadequate financial and material resources, including transportation, office facilities and supplies, and computers.(1)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in CAR took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor (cont)

Overview of Criminal Law Enforcement	2015	2016
Initial Training for New Employees	Yes (14)	Unknown (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (14)	N/A (1)
Refresher Courses Provided	Yes (73)	No (2)
Number of Investigations	Unknown (67)	39 (1, 43, 44)
Number of Violations Found	2,679 (5)	1,404 (74)
Number of Prosecutions Initiated	0 (47)	0 (38)
Number of Convictions	0 (47)	0 (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (73)	Yes (41)

Research indicates members of the armed forces and the Central African Office for the Suppression of Banditry committed extra-judicial killings of minors suspected to be members of rival factions. Research also found that law enforcement officials detained some children released from the LRA for interrogation rather than turn them over to social services providers, and children may have been held in detention centers with adults despite a 2016 decree that states children and adults should be kept separate.(25, 28, 44) Criminal acts were widely resolved through traditional methods across the country, often to the exclusion of formal legal proceedings.(2) Research also indicates that government officials outside of the capital may lack the means and capacity to enforce the law, including not having access to copies of relevant laws.(47, 62, 73) In addition, the Government primarily relies on NGOs to provide social services to victims.(28, 41)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established a coordination mechanism on trafficking or other type of child labor, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Interministerial Committee to Combat Human Trafficking	Investigate and combat human trafficking in CAR. Overseen by the Ministry of Public Security.(73)
Disarmament, Demobilization, Reinsertion, and Repatriation Committee (DDRR)*	Secures the release of children used in armed conflict and provide appropriate care.(38) In October 2016, with the support of MSA and the UN, hosted an international workshop on the use of children in armed conflict and conducted a mission to Vakaga prefecture to verify and separate 133 children affiliated with armed groups.(42)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

The National Child Protection Council in the Prime Minister's Office no longer appears to be functioning, and research was unable to determine whether the Interministerial Committee was active in 2016.(8, 28)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
Bangui Forum Agreement	Formal agreement signed by 10 armed groups and the Transitional Government on May 5, 2015, to end the recruitment and use of children in armed combat and to facilitate the separation of children from the ranks of armed groups.(3, 5, 12, 20, 38, 40) Between January and March 2016, 1,526 child soldiers were released from armed groups and received psychosocial support and reintegration services from UNICEF.(21)
Child Disarmament, Demobilization, and Reintegration Policy	Based on the Bangui Forum Agreement, MSA policy that aims to facilitate a policy to disarm, demobilize, and reintegrate child soldiers in CAR in cooperation with UN agencies, other ministries, and armed groups.(1, 3, 21, 24, 44) Through its National Strategy for Community Reinsertion of Children Formerly Associated with Armed Groups, provides temporary care to children separated from armed groups and establishes child protection networks (RECOPE) throughout the country.(21, 37, 43) By the end of 2016, 7,506 children had been removed from armed groups.(43, 44)

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Table 9. Key Policies Related to Child Labor (cont)

Policy	Description
National Recovery and Peacebuilding Plan (RCPCA) (2017–2021) [†]	Aims to re-establish peace, security, and support reconciliation, including by disarming and reintegrating children associated with armed groups, promoting legal reform, seeking justice for victims, and improving access to education. Aims to construct 218 schools and 1,200 school canteens, to train 1,000 teachers, and to distribute 150,000 school kits.(24, 26)
National Strategy for the Community-based Reintegration of Children Associated with Armed Groups in CAR [†]	Aims to coordinate the reintegration of ex-combatant children into communities as civilians and prevent re-recruitment by armed groups.(75)
UNDAF (2012–2016)	Aims to continue peace-building efforts, strengthen the rule of law, and accelerate progress toward the Millennium Development Goals. Commits to improving reintegration activities for child ex-combatants, improving access to protective services for children, and increasing primary school attendance and access to quality education.(27, 76)

[†] Policy was approved during the reporting period.

Although the Government of CAR has adopted the Bangui Forum Agreement, which seeks to address child soldiering, research found no evidence of a policy on other worst forms of child labor.(47) A draft of a national policy addressing the elimination of child labor has yet to be adopted.(48, 68) Research was unable to determine whether the UNDAF was implemented during the reporting period.(8, 67) The Government has not included child labor elimination and prevention strategies into the National Strategy for the Education Sector (2008–2020).(77)

VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2016, the Government participated in programs that may contribute to the prevention or elimination of child labor (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Awareness Raising Programs*	MOL program aims to raise awareness of child labor and international conventions. In 2016, local inspectorates conducted awareness-raising campaigns in the forested and mining areas of Lobaye and Mambere-Kadei Prefectures, where children are vulnerable to exploitation.(1, 43, 44)
Shelters for Unaccompanied Children	MSA- and UNICEF-supported centers in Bangui provide immediate care, food, and psychosocial support to unaccompanied children and former child soldiers.(38, 78) In 2016, the Government adopted national guidelines for the care of children in temporary care.(43, 44)
Education Programs	Programs to restore educational infrastructure. Includes: \$23.4 million European Union-funded Education Program which will rehabilitate and equip more than 300 schools in 4 prefectures and the capital; Bangui Ministry of Mines and Ministry of National Education and Scientific Research program to construct schools in mining zones; and UN Office for the Coordination of Humanitarian Affairs' Education Clusters led by UNICEF and in collaboration with the Ministry of Education, that provides access to education in conflict-affected areas .(1, 42-44, 49, 51, 53, 79-81) In 2016, trained 1,312 teachers and 1,518 volunteer teachers; constructed or rehabilitated 144 schools; distributed school kits and textbooks to 390,000 students and 6,000 teachers; established new Temporary Spaces for Learning and Child Protection (ETAPE), which serve 40,258 children; and reopened 5 schools in Kaga-Bandoro.(36, 44, 51, 55)
Birth Registration Campaign [†]	In support of the 2014 decree mandating free birth registration to children born during the 2012–2014 conflict, opened 176 civil registration centers in areas affected by conflict; registered over 25,000 children since 2014. In 2016, provided birth registration to 8,199 children in Bangui, Bimbo, and Begoua and to 1,951 children in 3 other provinces.(44)

* Program was launched during the reporting period.

[†] Program is funded by the Government of CAR.

Although the Government participates in a program that assists former child soldiers, coordination with non-government actors is weak and the scope of this program is insufficient to fully address the extent of the problem.(3, 13, 37, 82) The Government was unable to provide direct reintegration programs to former child soldiers due to a lack of resources, which left victims vulnerable to exploitation or re-recruitment by armed groups.(2, 3, 8) Research found no evidence that the Government has programs to assist children engaged in other worst forms of child labor, largely due to a lack of governmental capacity and funding.(14)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in CAR (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on Armed Conflict.	2013 – 2016
	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations, and ensure that the types of hazardous work prohibited for children are comprehensive.	2013 – 2016
	Establish criminal prohibitions for possession and distribution of child pornography.	2009 – 2016
	Publish the Government's legislation for a minimum age for voluntary military service.	2015 – 2016
Enforcement	Ensure that courts are operational and that citizens can report violations and access formal judicial processes throughout the country.	2016
	Publish information on the labor inspectorate's funding level, type of training provided to inspectors and investigators, and data related to enforcement efforts, including the number and type of investigations conducted, violations found, penalties imposed and collected, and whether routine and unannounced inspections were conducted.	2014 – 2016
	Significantly increase the number of labor inspectors responsible for enforcing laws related to child labor in accordance with the ILO's recommendation and ensure enforcement officers have the resources necessary to fulfill their mandate.	2009 – 2016
	Ensure that enforcement agencies have sufficient resources and allocated funding to enable government officials to enforce laws related to child labor throughout the country and provide services to victims.	2009 – 2016
	Ensure that children are not subject to unlawful punishment, are not kept in detention centers with adults, and are turned over to social service providers when released from armed groups.	2016
Coordination	Ensure coordinating mechanisms are functional and combat all forms of child labor, including all its worst forms.	2011 – 2016
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor.	2014 – 2016
	Implement established policies related to child labor, including its worst forms.	2013 – 2016
	Integrate child labor elimination and prevention strategies into education and poverty reduction policies.	2009 – 2016
Social Programs	Ensure that children in displaced persons camps are not vulnerable to the worst forms of child labor.	2016
	Improve access to education by eliminating school-related fees, making additional efforts to provide all children with birth registration, establishing an adequate number of teachers and classrooms throughout the country, and ensuring that schools are safe spaces and free from armed groups.	2009 – 2016
	Expand programs to assist former child combatants and children associated with armed groups and improve coordination among relevant actors.	2013 – 2016
	Implement programs to address the worst forms of child labor.	2009 – 2016

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In 2016, Chad made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government approved a Five-Year Plan for Development that aims to strengthen the Labor Inspectorate's directorate charged with combating the worst forms of child labor and drafted a guide for law enforcement officials on assisting victims of human trafficking. The Project to Revitalize Basic Education in Chad, which is led by the Ministry of Education, received an additional \$7 million from UNICEF and UNESCO to expand access to education for 8,500 children affected by conflict. However, children in Chad engage in the worst forms of child labor, including forced labor in cattle herding and domestic work. The country's legal framework does not contain criminal penalties for forced child labor, child trafficking, or the use of children in illicit activities.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Chad engage in the worst forms of child labor, including forced labor in cattle herding and domestic work.(1-6) Table 1 provides key indicators on children's work and education in Chad.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	48.8
Attending School (%)	5 to 14	49.5
Combining Work and School (%)	7 to 14	28.4
Primary Completion Rate (%)		38.1

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2016.(7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Demographic and Health Survey, 2014 – 2015.(8)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Cultivating and harvesting crops, including rice and corn (1)
	Collecting and chopping wood (5, 6)
	Production of charcoal (1)
	Herding cattle (1, 9)
	Fishing, including catching, smoking, and selling fish (1)
Industry	Building walls (6)
	Gold mining [†] (1)
	Working in auto repair shops (1)
	Making bricks (6, 10)
Services	Domestic work (1-3, 5, 6)
	Street work, including vending, garbage scavenging, and carrying heavy loads [†] (1, 6, 9, 11)
	Begging (2, 12)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (3-6)
	Forced labor in domestic work, fishing, herding cattle, begging, street vending, and agriculture, each sometimes as a result of human trafficking (1-5)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.

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Child trafficking occurs primarily within Chad for the purposes of forced labor in cattle herding and domestic sex tourism. Children are occasionally trafficked to neighboring countries for forced labor in domestic work and commercial sexual exploitation.(1, 3, 4) Domestically, boys known as *mahadjirine* may be sent to Koranic schools to receive an education, but they are forced to beg and to surrender the money they receive to their teachers.(2-4)




The Constitution and the Law Orienting the Education System mandate free and compulsory education in Chad.(13, 14) However, there is a lack of schools, classrooms, and teachers throughout the country. Some schools do not offer all grade levels, and parents are often required to pay for school-related fees, which may prevent some children from attending school.(15-17) In addition, some schools near Lake Chad were occupied or attacked by *Boko Haram* elements, or closed as a result of military operations, forcing approximately 180,000 children ages 3 to 17 to miss the 2015–2016 school year.(12, 18-22) In September 2016, teacher strikes closed schools throughout the country for several months. Only 7 of the 450 public schools in the Lake Region opened for the 2016–2017 school year, leaving more than 200,000 children unenrolled.(1, 23-26) The Government, supported by UNICEF and other partners, encouraged schools to reopen by distributing school supplies to more than 22,000 children, but the majority of schools remain closed, with the exception of 64 schools located in refugee camps in Eastern and Western Chad.(24)

During the reporting period, Chad experienced an economic crisis, which led to significant cuts to public servant allowances as part of severe austerity measures, as well as internal unrest due to presidential elections. These issues affected the Government’s ability to address the worst forms of child labor.(1, 21, 27, 28)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Chad has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Chad’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Article 52 of the Labor Code; Article 1 of the Decree Relating to Child Labor (29, 30)
Minimum Age for Hazardous Work	Yes	18	Articles 6–7 of the Decree Relating to Child Labor (29)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 6 of the Decree Relating to Child Labor (29)
Prohibition of Forced Labor	No		Article 20 of the Constitution; Article 5 of the Labor Code (14, 30)
Prohibition of Child Trafficking	No		
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 279–282 of the Penal Code; Articles 81–85 of the Law on Cyber Security and Fight Against Cyber Criminality (12, 31)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Military Recruitment			
State Compulsory	Yes	20	Article 32 of the Law on the Organization of the Armed Forces; Article 22 of the African Charter on the Rights and Welfare of the Child (32, 33)
State Voluntary	Yes	18	Article 32 of the Law on the Organization of the Armed Forces; Article 1 of the Ordinance Prohibiting the Use of Children in Armed Conflict; Article 52 of Military Statute N° 006/PR/06 (32, 34, 35)
Non-state Compulsory	Yes	18	Article 1 of the Ordinance Prohibiting the Use of Children in Armed Conflict (34)
Compulsory Education Age	Yes	16 [‡]	Articles 21, 23, 25, and 28 of the Law Orienting the Education System; Article 35 of the Constitution (13, 14)
Free Public Education	Yes		Article 9 of the Law Orienting the Education System; Article 35 of the Constitution (13, 14)

[‡] Age calculated based on available information (13)

In December 2016, the National Assembly adopted a new Penal Code that has provisions criminalizing trafficking in persons; it is awaiting signature by the president and promulgation.(36) Several laws are awaiting approval by the National Assembly, including the Child Protection Code, Labor Code, and Family Code, which contain additional provisions criminalizing child trafficking and extending protection to children working in the informal sector.(1, 2, 37-41) A draft law on trafficking in persons, which has been pending adoption by the General Assembly since March 2015, will bring Chad's laws into compliance with international standards.(4, 36, 42-44) Existing laws do not criminally prohibit child trafficking.(14, 30, 31)

In addition, the Decree Relating to Child Labor prohibits certain hazardous activities for children under age 18 and some other activities for children under age 16.(29, 41) This means that children ages 16 and 17 can work legally in hazardous tasks, such as working with hand- or foot-powered machinery, operating machinery with sharp blades, and working on scaffolding in construction sites.(29)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Public Service, Employment, and Social Dialogue (MOL)	Implement and enforce child labor laws.(1, 15) Includes a directorate and specific point of contact to assist in coordinating child protection and human trafficking issues.(45)
Ministry of Justice, Human Rights, and Guardian of the Seal (MOJ)	Draft and enforce laws and coordinate efforts to protect human rights.(1) Through its Directorate for Protection and Legal Monitoring of Children, enforce child labor laws.(46)
Ministry of Women, Childhood Protection, and National Solidarity (MWCPSN)	Protect children's rights, provide temporary shelter to victims, and assist with reintegration when appropriate.(4, 36) Through its Child Protection Directorate, lead Government efforts on child protection, including child labor, and liaise with the Child Protection Directorate at the MOJ.(36) In 2016, drafted a guide for civil society and law enforcement officials on assisting victims of human trafficking, particularly during investigations and prosecutions.(36)
National Police	Enforce and investigate criminal laws against child labor, including child trafficking, and refer them to the MOJ for prosecution. In the case of the Child Protection Brigade, specifically monitor violations of children's rights.(1) Located throughout the country.(45, 47)

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The Child Protection Committees did not carry out activities during the reporting period due to a lack of resources. Research indicates that although the Child Protection Brigade within the National Police is tasked with responding to child welfare concerns, it was not well-known by the public.⁽¹⁾ In addition, the judicial system ceased functioning in November 2016 when magistrates and court clerks went on strike to protest government austerity measures.⁽²⁶⁾

Labor Law Enforcement

In 2016, labor law enforcement agencies in Chad did not take actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown* (12)	\$0 (1)
Number of Labor Inspectors	20 (12)	30 (1)
Inspectorate Authorized to Assess Penalties	No (30)	No (30)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	No (46)
Training on New Laws Related to Child Labor	No (12)	No (1)
Refresher Courses Provided	Yes (12)	No (1, 48)
Number of Labor Inspections	Unknown* (12)	0 (1)
Number Conducted at Worksite	0 (12)	0 (1)
Number Conducted by Desk Reviews	Unknown* (12)	0 (1)
Number of Child Labor Violations Found	Unknown (12)	0 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (12)	0 (1)
Number of Penalties Imposed that Were Collected	Unknown (12)	0 (1)
Routine Inspections Conducted	No (12)	No (1)
Routine Inspections Targeted	N/A (12)	N/A (1)
Unannounced Inspections Permitted	Yes (30)	Unknown (1)
Unannounced Inspections Conducted	No (49)	Unknown (1)
Complaint Mechanism Exists	Yes (49)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (12)	Yes (1)

* The Government does not publish this information.

The number of labor inspectors is insufficient for the size of Chad's workforce, which includes almost 5.5 million workers.⁽⁵⁰⁾ According to the ILO's recommendation of 1 inspector for every 40,000 workers in less developed economies, Chad should employ roughly 136 labor inspectors.⁽⁵⁰⁻⁵²⁾ Inspectors lack sufficient resources such as equipment, transportation, and fuel to conduct investigations outside the city where they are based.^(15, 36) In 2016, the labor inspectorate did not receive any funding to conduct inspections, and inspectors were on strike from September 2016 to January 2017 to protest the nonpayment of salaries and government austerity measures.^(1, 36, 46) Research indicates that the informal sector, in which the majority of children work, is largely unmonitored, and some establishments in the formal sector may go years without receiving an inspection.^(2, 15, 48)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Chad took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (12)	Unknown (1)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (12)	N/A (1)
Refresher Courses Provided	Yes (12)	No (1)
Number of Investigations	5 (53)	0 (1)
Number of Violations Found	9 (49)	235 (25)

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor (cont)

Overview of Criminal Law Enforcement	2015	2016
Number of Prosecutions Initiated	2 (49)	0 (1)
Number of Convictions	3 (12)	0 (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (12)	Yes (1)

Research indicates that investigators had inadequate resources, which hindered their ability to respond to complaints of child labor violations.(1) All newly hired law enforcement officials—including police, military, judiciary officials, and social workers—receive a mandatory course on child protection as part of their training.(12, 49, 53)

Civil society organizations typically assist with providing temporary shelter, legal assistance, and family reintegration; they also track prosecutions and convictions.(12, 45) An underdeveloped judicial system, inadequate deterrents, and under-enforcement of existing penalties pose barriers to prosecution.(4, 15, 45) Police and traditional leaders sometimes resolved cases of child trafficking outside the legal system.(15) In addition, the police commissioner in Kélo was arrested in February 2016 following allegations of complicity in a child trafficking network; the investigation remains ongoing.(4)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Working Group on the Worst Forms of Child Labor	Coordinate government efforts on child trafficking, including by providing training, conducting awareness-raising activities, and strengthening the network of government organizations that address human trafficking.(45, 54) Chaired by the MWCPNS's Child Protection Directorate and includes representatives from four other ministries, including the MOL.(36)
Inter-Ministerial Committee on Trafficking in Persons (ICTIP)	Coordinate government efforts to combat child labor, including its worst forms, and propose revision of national legislation to conform to international standards.(12, 36, 55, 56) Led by the MOJ's Directorate General of Human Rights and includes representatives from four ministries, including the MOL, international NGOs, and civil society organizations.(36)
Inter-Ministerial Committee on Child Soldiers	Coordinate government efforts to eliminate the use of children in armed conflict and address the worst forms of child labor.(36) Located in each of the eight military regions and includes representatives from the government, army, gendarmerie, and civil society organizations.(36) Conduct awareness-raising activities and trainings in the military.(10, 57, 58)
MWCPNS's Regional Child Protection Committees	Coordinate regional government efforts to address the worst forms of child labor.(59) Includes representatives from three ministries and the police.(10)

None of the coordinating bodies met in 2016, and the Government noted that a lack of technical and financial resources has hampered its ability to improve its coordination and response to child labor.(36, 46)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[†]

Policy	Description
2013 Child Soldiers Action Plan	Aims to permanently eliminate the use of child soldiers in partnership with the UN.(37, 58, 60-62) Integrates training modules on child soldiers for all military personnel and includes monitoring and age verification in all military training centers by officials from the MOJ, the MWCPNS, and the Ministry of Defense.(4, 45) In 2016, developed modules on child soldiers with the support of UNICEF and integrated them into all military training, established cells to perform age verification at military centers, and raised awareness of child soldiering issues in all eight military zones. In addition, conducted several joint missions with government and UN representatives to sites in the Lake region housing alleged Boko Haram affiliates who had surrendered. Children were referred to a transition center in Bol for family reunification.(22, 24, 25)

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Table 9. Key Policies Related to Child Labor[†] (cont)

Policy	Description
N'Djamena 2010 Declaration of Regional Conference: Ending Recruitment and Use of Children by Armed Forces and Groups	Represents a commitment among six signatory countries, including Chad, to eliminate the use of child soldiers in their territories.(37, 63) Forms the basis for the 2013 Child Soldiers Action Plan and accompanying UNICEF Roadmap.(47)
MWCPNS's 2016 National Action Plan	Aims to provide free birth registration to 27,000 children in targeted areas, establish or strengthen the capacity of 70 child protection committees, reinforce law enforcement comprehension of standards on child protection, and develop a system for preventing and responding to cases of child exploitation.(64) In 2016, carried out many of its planned activities.(46)
Five-Year Plan for Development (2016–2020) [†]	Ministry of Economy and Development Planning policy which aims to conduct a survey on child labor every three years, increase the rate of birth registration, increase educational opportunities, and strengthen the human and financial capacity of the MOL's directorate charged with combating the worst forms of child labor.(65)

[†] Policy was approved during the reporting period.

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(66)

Although the Government has adopted policies on child trafficking and child soldiers, research found no evidence of a policy on other worst forms of child labor, such as commercial sexual exploitation, forced labor in domestic work, and herding cattle. Although the Inter-Ministerial Committee on Trafficking in Persons began drafting a National Action Plan on Human Trafficking, it was never completed.(46)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
Transition Centers [†]	Run by the Ministry of Defense; provides family reunification and reintegration assistance to former child soldiers. MWCPNS, in collaboration with UNICEF, assists in demobilizing and reinserting child soldiers.(37, 55) In December 2016, reunited 58 children with their families.(22)
Reception Centers [†]	Run by MWCPNS and UNICEF, centers located throughout the country provide temporary assistance to victims of child trafficking, including food, education, medical, and psychological care, and reintegration services.(4, 45) The National Solidarity Fund, maintained by Prime Minister's Office, funds temporary shelter or reunification assistance for victims.(36) Child Protection Directorates at various ministries work together to provide support and reintegration services to victims of exploitation.(36)
UNICEF Country Program	In support of the UNDAF, aims to increase primary school enrollment, support training of community teachers, and promote birth registration rates.(67) Establishes child-friendly spaces and schools in refugee camps.(68) In 2016, drafted the UNICEF Country Program (2017–2021), which continues promotion of birth registration and access to education, and aims to promote a justice system that is sensitive to child rights.(28)
Project to Revitalize Basic Education in Chad (PREBAT)	\$47.4 million program implemented by UNESCO and UNICEF, led by the Ministry of Education in support of the Transitional Education Plan, which aims to promote access to education, improve physical infrastructure, and reduce educational costs.(69, 70) In February 2016, an additional \$7 million was approved to provide school lunches and access to education for 8,500 children in the Lake Chad region affected by conflict.(69) By the end of 2016, constructed 1,300 classrooms, distributed almost 2 million textbooks to teachers, and provided training to 1,100 teachers.(71)

[†] Program is funded by the Government of Chad.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(55, 57, 58, 72)

Research indicates that the Government decreased funding to existing programs during the reporting period due to austerity measures, and it lacks the capacity to provide adequate care and reintegration support for demobilized child soldiers.(1, 40) Although Chad has programs that target child labor, the scope of these programs is insufficient to address the extent of the problem adequately, particularly forced child labor in herding, begging, and domestic work.(9)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Chad (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws specifically prohibit children from being used, offered, or procured for illicit activities.	2011 – 2016
	Establish criminal prohibitions for debt bondage, slavery, and forced labor of children.	2015 – 2016
	Ensure that laws criminally prohibit both domestic and international child trafficking for the purposes of commercial sexual exploitation and forced labor, and all the steps in the trafficking process, including recruiting, harboring, transporting, transferring, and receiving.	2009 – 2016
	Ensure that all children under age 18 are prohibited from engaging in hazardous occupations or activities.	2014 – 2016
Enforcement	Ensure that law enforcement agencies receive sufficient resources to carry out their mandate and that their role is understood by the public.	2016
	Significantly increase the number of labor inspectors in accordance with the ILO recommendation and ensure that inspectors have adequate resources to carry out their mandate.	2012 – 2016
	Strengthen the labor inspectorate by authorizing inspectors to assess penalties, and by providing sufficient resources to conduct inspections in both the formal and informal sectors and prosecute offenders.	2014 – 2016
	Institutionalize training for labor inspectors, including at the beginning of their employment, and provide regular refresher courses.	2014 – 2016
	Publish information about whether unannounced inspections are permitted.	2014 – 2016
	Ensure that penalties are severe enough to deter offenders and are enforced according to the law.	2015 – 2016
	Investigate allegations of government officials who are complicit in a child trafficking network and ensure that no Government of Chad officials are complicit in perpetuating the worst forms of child labor.	2016
Coordination	Ensure that coordinating committees receive adequate resources to meet and carry out their mandates to coordinate and respond to child labor issues.	2014 – 2016
Government Policies	Adopt a policy to combat all worst forms of child labor in Chad, including commercial sexual exploitation, forced labor in domestic work, and herding cattle.	2009 – 2016
	Ensure that all policies are implemented as intended.	2016
Social Programs	Ensure access to education for all children by eliminating school-related fees, preventing prolonged teacher strikes, continuing to provide scholarships to students, ensuring that schools are safe spaces, and improving access to schools throughout the country.	2014 – 2016
	Ensure that existing programs receive adequate funding and are able to support demobilized child soldiers.	2016
	Establish or expand programs to provide services to children engaged in the worst forms of child labor, such as use of forced labor in herding, begging, and domestic work.	2009 – 2016

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- rent primary education completion. The calculation includes all new entrants to the last grade (regardless of age). Therefore, the ratio can exceed 100 percent, due to over-aged and under-aged children who enter primary school late/early and/or repeat grades. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
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In 2016, Chile made a significant advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor began implementing the National Strategy to Eradicate Child Labor, strengthened Regional Advisory Committees for the Eradication of Child Labor and Protection of Adolescent Workers, and supported the design and implementation of regional operating plans to address child labor at the local level. The Government created 21 new Offices for the Protection of Children's Rights, published a comprehensive guide for the detection and referral of human trafficking victims, including children, and began updating its list of hazardous occupations for children. However, children in Chile perform dangerous tasks in construction. Children also engage in the worst forms of child labor, including in the production and distribution of drugs, sometimes as a result of human trafficking, and in commercial sexual exploitation. Information regarding the number of criminal violations found and prosecutions initiated related to the worst forms of child labor is not publicly available.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Chile engage in the worst forms of child labor, including in the production and distribution of drugs, sometimes as a result of human trafficking, and in commercial sexual exploitation. Children also engage in construction, an industry that is considered dangerous in Chile.(1-12) The results of the 2012 National Survey on Activities of Children and Adolescents (*Encuesta de Actividades de Niños, Niñas y Adolescentes*) indicate that 70.6 percent of working children ages 5 to 17 are engaged in work classified as dangerous.(8, 10) Table 1 provides key indicators on children's work and education in Chile.

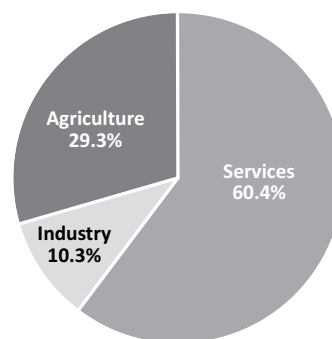
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	3.8 (94,025)
Attending School (%)	5 to 14	99.5
Combining Work and School (%)	7 to 14	4.5
Primary Completion Rate (%)		95.0

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(13)

Source for all other data: Understanding Children's Work Project's analysis of statistics from *Encuesta de Actividades de Niños, Niñas y Adolescentes* Survey, 2012.(14)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Harvesting, collecting, and selling crops, including wheat, and working on agricultural loading docks (4, 10, 12)
	Livestock rearing and raising farm animals (9, 10, 12)
	Forestry,† activities unknown (9, 10)
	Hunting, activities unknown (9, 10)
	Fishing,† activities unknown (9, 10)
Industry	Construction, activities unknown (4, 8-10, 12, 15)
	Production of ceramics and books (4, 12)
Services	Repairing shoes and garments (4, 12)
	Domestic work (4, 8, 10, 16)
	Working in retail, hospitality, and restaurants (4, 12, 15, 17, 18)
	Street work, including street vending and washing cars (4, 8, 9, 15, 19)



Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [‡]	Use in illicit activities, including in the production and distribution of drugs, sometimes as a result of human trafficking (1-7, 11, 12, 20)
	Forced labor in agriculture, mining, construction, street vending, domestic work, and garment and hospitality sectors (3-5, 11, 12, 18)
	Commercial sexual exploitation, sometimes as a result of human trafficking (3, 4, 6-8, 12, 18, 20)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

In Chile, children are subjected to human trafficking for commercial sexual exploitation and domestic work.(3, 11, 16) In 2016, the National Minors’ Service (SENAME) detected 346 cases of commercial sexual exploitation of children—the majority of them Chilean.(20) Children are also used to steal, or to produce, sell, and transport drugs on the borders with Peru and Bolivia.(4, 11) In 2016, the Government identified 184 children—some of whom may have been trafficking victims—involved in illicit activities, including drug trafficking and theft.(20, 21)




Indigenous children and adolescents from Otavalo, Ecuador, are especially vulnerable to human trafficking for labor exploitation in Chile.(2, 18) Children are also involved in street work, especially in Santiago, including selling handicrafts, clothes, or other goods.(22-24) In 2016, SENAME detected 730 cases of children involved in the worst forms of child labor, including 68 in hazardous labor.(20) The Government reports that 90 percent of working children between the ages of 5 and 17 are engaged in hazardous work.(25)

Education is compulsory in Chile through secondary school.(26) However, barriers to education exist, including a lack of transportation in rural areas.(18)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Chile has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). The legal framework appears to be sufficient to address and protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 13 of the Labor Code (27)
Minimum Age for Hazardous Work	Yes	18	Articles 13, 14, and 18 of the Labor Code (27)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 18 of the Labor Code; Articles 1–11 of Law No. 50; Article 1 of Law No. 20.539 (27, 28)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Forced Labor	Yes		Article 19 of the Constitution; Article 411 of the Penal Code; Law 20.507 (29, 30)
Prohibition of Child Trafficking	Yes		Article 411 of the Penal Code (30)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 367 and 411 of the Penal Code; Law No. 20.594; Law No. 20.526 (30-32)
Prohibition of Using Children in Illicit Activities	Yes		Paragraph 1, Article 5 and Paragraph 2, Article 19 of Law No. 20.000; Law No. 20.084 (33, 34)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Chapter 1, Article 13 of the Armed Forces Recruitment and Mobilization Law No. 2.306 (35)
State Voluntary	Yes	18	Chapter 1, Article 13 of the Armed Forces Recruitment and Mobilization Law No. 2.306 (35)
Non-state Compulsory	No		
Compulsory Education Age	Yes	18‡	Articles 4, 25, and 27 of the General Education Law No. 20.370 (26)
Free Public Education	Yes		Article 4 of the General Education Law No. 20.370 (26)

* No conscription (35)

‡ Age calculated based on available information (26)

Chilean law does not sufficiently protect children from forced labor as it does not generally prohibit forced labor except when it results from human trafficking.

In 2016, the Government began updating its list of hazardous occupations and prohibited activities for children.(18) The President also sent a draft bill to Congress to create the Children's Rights Defender's Office.(18)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MINTRAB)	Design and implement national strategy on child labor and generate public awareness of child labor and commercial sexual exploitation.(8, 36) The National Labor Directorate, functioning in parallel with MINTRAB, enforces child labor laws.(18)
National Minors' Service (SENAME)	Coordinate the provision of services to vulnerable children in collaboration with Rights Protection Offices.(37, 38) Operates under Ministry of Justice.(18)
National Investigations Police (PDI)	Investigate and prevent the worst forms of child labor by conducting community outreach activities, including trainings and information sessions.(39) Operates under Ministry of Interior.(18) Within PDI, sex crime brigades (BRISXME) specifically look for CSEC.(40)
National Uniformed Police (<i>Carabineros</i>)	Investigate, prevent, and detect crimes, including child labor violations, by conducting community policing and specialized investigations. The Directorate for Family Protection provides specialized orientation on policies and operating plans for detection and prevention of domestic violence and child abuse, including sexual exploitation of children.(20) Operates under Ministry of Interior.(18)
National Prosecutor's Office (<i>Fiscalía Nacional</i>)	Investigate and prosecute crimes, including those involving commercial sexual exploitation and trafficking of children. Train and coordinate with interagency partners, including the PDI and Carabineros, and regional and local prosecutor's offices.(41, 42)
Rights Protection Offices (<i>Oficinas de Protección de Derechos</i>)	Refer cases of children whose rights have been violated to appropriate social services, and monitor and raise awareness of the worst forms of child labor. Located in municipalities throughout the country and part of a social protection network overseen by SENAME.(9)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Chile took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$30,464,007 (17)	\$30,590,726 (18)
Number of Labor Inspectors	550 (17)	549 (18)
Inspectorate Authorized to Assess Penalties	Yes (17)	Yes (18)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Yes (18)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (11)	Yes (18, 21)
Number of Labor Inspections	124,565 (17)	116, 535 (18)
Number Conducted at Worksite	Unknown	116,535 (18)
Number Conducted by Desk Reviews	Unknown	N/A
Number of Child Labor Violations Found	526 (17)	344 (18)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown
Number of Penalties Imposed That Were Collected	Unknown	Unknown
Routine Inspections Conducted	Yes (17)	Yes (18)
Routine Inspections Targeted	No (17)	No (18)
Unannounced Inspections Permitted	Yes (17)	Yes (18)
Unannounced Inspections Conducted	Yes (17)	Yes (18)
Complaint Mechanism Exists	Yes (17)	Yes (18)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (17)	Yes (18)

The number of labor inspectors is insufficient for the size of Chile's workforce, which includes over 8 million workers. According to the ILO recommendation of 1 inspector for every 15,000 workers in developing economies, Chile should employ about 585 labor inspectors to adequately enforce labor laws throughout the country.(18, 43-45) Additionally, the Labor Inspectorate has only 133 vehicles to conduct inspections in all of Chile, and must share them with other departments of the Directorate.(18)

In 2016, the Government conducted two qualitative studies on child labor in the agricultural and commercial sectors.(18, 46-48)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Chile took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Yes (18)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (17)	Yes (18, 21)
Number of Investigations	91 (17)	23 (18)
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown	23 (21)
Number of Convictions	30 (17)	21 (20)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (17)	Yes (18)

In 2016, the Interagency Task Force on Trafficking in Persons published a comprehensive guide to facilitate detection and referral of trafficking victims, including children.(21, 49) The Government opened 266 investigations related to commercial sexual exploitation of children—including 103 for promotion or facilitation of commercial sexual exploitation of children, 12

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for procurement of sexual services from children, and 151 for production of pornographic material involving children.(18) The Government also initiated seven prosecutions for facilitation of prostitution of children, five for solicitation of sexual services from children, and convicted three individuals for facilitation of prostitution of children and three individuals for labor trafficking of children.(21) However, the penalties for promoting or facilitating the commercial sexual exploitation of children are not commensurate with those for other serious crimes.(11) Additionally, all sentences for crimes involving children were served on parole.(20)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Advisory Committee to Eradicate Child Labor	Oversee implementation of the “National Strategy for the Eradication of Child Labor and Protection of Adolescent Workers (2015–2025),” formulated with the Social Observatory to Eradicate Child Labor.(20) Led by MINTRAB, includes representatives from the Ministries of Agriculture, Education, and Justice; the National Statistics Institute; the National Tourism Service; SENAME; the PDI and the National Uniformed Police.(50) In 2016, met regularly and brought together civil society organizations and government agencies to raise awareness, provide services to victims, and protect victims’ rights.(12)
Regional Advisory Committees for the Eradication of Child Labor and the Protection of Adolescent Workers	Replicate the functioning of the National Advisory Committee at the regional level.(18) Led by the Regional Secretary of Labor, committees bring together local government agencies, civil society organizations, and the business community to address child labor. In 2016, committees began implementing a strategy to eradicate child labor and operating plans at the regional, provincial, and municipal levels, in line with the National Strategy 2015–2025.(18, 51, 52)
Worst Forms of Child Labor (WFCL) Task Force	Oversee the WFCL Registry, which tracks incidents of the worst forms of child labor and provides information on programs designed to assist child workers.(53) Compile data in the WFCL Registry and present it to the National Advisory Committee to Eradicate Child Labor and other government stakeholders.(20) In 2016, maintained the registry and continued to implement a multisector protocol to identify, register, and care for children and adolescents who are victims of commercial sexual exploitation.(12)
National Council for Children	Integrate efforts across government agencies to uphold the rights of the child. Implement policies, strategic plans, and programs at national, regional, and local levels.(17) Managed by the Ministry General Secretariat of the Presidency.(17)
Interagency Task Force on Trafficking in Persons	Coordinate the Government’s anti-human trafficking efforts. Led by the Ministry of the Interior, comprises law enforcement agencies, the Ministry of Foreign Relations, the Ministry of Justice, the National Prosecutor’s Office, SENAME, and others.(54)
Social Observatory to Eradicate Child Labor	Established by Decree No. 131 to coordinate the study of child and adolescent labor issues among working groups, foundations, educational study centers, and institutions. Conduct technical studies on child and adolescent labor issues and evaluate current child labor elimination policies.(1, 55) Disaggregate child labor survey data from the 2012 National Survey on Activities of Children and Adolescents.(55)

In 2016, the Government strengthened the Regional Advisory Committees and supported the implementation of regional strategies based on the challenges experienced by Chile’s diverse local communities.(18) With assistance from the ILO, each regional government developed operating plans to combat child labor and planned at least two activities related to child labor in 2016.(18)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor†

Policy	Description
National Strategy for the Eradication of Child Labor and Protection of Adolescent Workers (2015–2025)	Establishes a strategy to eradicate child labor by (1) combining efforts across national and regional agencies and private and public entities and (2) requiring regions to establish a strategy adapted to issues particular to the area to effectively eradicate child labor.(56) The Ministry of Labor oversaw the implementation of regional strategies, including the design and implementation of regional operating plans.(20)

Table 9. Key Policies Related to Child Labor[‡] (cont)

Policy	Description
National Policy for Childhood and Adolescence (2015–2025)	Creates an Integrated System of Guarantee of Rights and an Inter-Agency Task Force, which is developing a 2016–2025 plan of action for childhood and adolescence. MINTRAB also participates and provides information and guidance regarding child labor.(57, 58) The National Council for Children worked with Congress to pass a bill to create a new system guaranteeing the rights of children in accordance with the UN Convention on the Rights of the Child.(20)
Anti-Trafficking National Action Plan (2015–2018)	Acts to prevent and combat human trafficking, with a focus on women and children. Encompasses four strategic areas: (1) prevention and awareness raising, (2) control (prosecution), (3) victims' assistance and protection, and (4) interinstitutional cooperation and coordination.(59) The Government provided specialized training on trafficking to law enforcement and judicial officials and published a comprehensive guide on identifying and referring trafficking victims.(20)
Cooperative Agreement for the Prevention and Eradication of Child Labor and Protection of Adolescent Workers in Chile	Creates mechanisms to detect child labor in the capital region school system. Signed by the Ministry of Education and MINTRAB.(60) Provided for 24 training programs on child labor through the Ministry of Labor to educate stakeholders, including teachers and students.(20)
Inter-Agency Protocol on Assistance for TIP Victims	Creates a system to register, monitor, and assist victims of trafficking. Provides safe housing; health and psychological services; and legal, employment, and immigration assistance.(21) Coordinated by the Under Secretariat for Crime Prevention and Citizen Security at the Ministry of the Interior.(21) In 2016, two adolescent minors received assistance under this protocol.(21)
Chilean Ministry of the Interior and Public Security and U.S. Department of Homeland Security Joint Statement on Trafficking in Persons	Seeks to enhance collaboration and information exchanges between enforcement agencies on combating human trafficking and protecting vulnerable populations. Signed in 2015 by Chile and the United States.(61) The PDI provided training to Chilean and Peruvian border police to increase cross-border law enforcement cooperation and the U.S. Department of Homeland Security provided training for officers from Chilean Customs, Carabineros, and Navy to build host national capacity for targeting and risk management in the seaport and maritime environment, including rescue of trafficking victims.(20)

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(62-64)

In 2016, the Government began implementing the National Strategy to Eradicate Child Labor and took important steps to ensure that this strategy remains a priority, including establishing regional advisory committees to address child labor and protect young workers.(18)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
Guides on Eliminating Child Labor and Safe Work for Adolescent Workers	MINTRAB collaborates with the Confederation of Production and Commerce and the Chilean Safety Association to fight against child labor. Distributes guides to employers on eliminating child labor through public-private partnerships, and develops and distributes a manual to promote safety for adolescent workers.(65)
Regional Action Group for the Americas [‡]	Conduct prevention and awareness-raising campaigns to combat the commercial sexual exploitation of children in Latin America.(66) Administered in Chile by the National Tourism Service (SERNATUR), conducts child labor prevention and awareness-raising campaigns in the tourism sector.(8) SERNATUR conducted regular training nationally for tourism students and businesses on commercial sexual exploitation of children. Collaborated with the PDI to provide training to 110 hotels, travel agents, and tour operators that applied for quality certification seals.(20)
SENAME Programs for Children at Risk of or Engaged in the Worst Forms of Child Labor [‡]	Approximately 125 programs serving disadvantaged youth and children at risk of or engaged in the worst forms of child labor, including commercial sexual exploitation. Includes projects implemented along with municipal governments and involves 126 local branches of the Office for the Protection of Children's Rights (OPCR).(1, 9, 21, 37, 67) In 2016, SENNAME added 21 OPCRs.(21)
Here I am and I act (<i>Aquí Estoy y Actuo</i>)	led by Fundacion Telefonica and MINTRAB under the fifth principle of the UN Global Pact to help businesses contribute to the eradication of child labor in supply chains. Adopted by 17 businesses, this program feeds into the National Strategy for the Erradication of Child Labor.(68, 69)

Table 10. Key Social Programs to Address Child Labor[†] (cont)

Program	Description
Programs on Commercial Sexual Exploitation of Children (CSEC)	Administered by SENAME, includes 17 programs and 1 residential center to serve victims of CSEC.(21) The Child Labor Survey on CSEC is a collaboration of the Government and ILO to collect data on CSEC from police and other governmental agencies.(7, 8) In 2016, SENAME continued its social media campaign, “There is no Excuse: Commercial Sex with Those Under 18 is a Crime.”(18)
Indigenous Language Sector Program (<i>Sector de la Lengua Indígena</i>) [†]	Ministry of Education program that seeks to increase the quality of education available to indigenous children. (70) The Ministry of Education finalized fifth and sixth grade study programs for the indigenous languages <i>Aymara</i> , <i>Quechua</i> , and <i>Rapa Nui y Mapuzugun</i> .(20)

[†] Program is funded by the Government of Chile.

[‡]The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(9, 37, 71-75)

Research was unable to determine whether activities were undertaken to implement the Guides on Eliminating Child Labor and Safe Work for Adolescent Workers and the Here I Am and I Act program.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Chile (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits forced labor.	2016
	Ensure that the law criminally prohibits the recruitment of children under 18 into non-state armed groups.	2016
Enforcement	Hire a sufficient number of labor inspectors to meet the ILO recommendation.	2015 – 2016
	Ensure that inspectors receive adequate resources, such as transportation, to effectively carry out their duties.	2016
	Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2015 – 2016
	Publish information on the number of child labor violations found for which penalties were imposed and collected, and criminal violations found related to the worst forms of child labor.	2015 – 2016
	Ensure that penalties for promoting or facilitating the commercial sexual exploitation of children are commensurate with those for other serious crimes.	2016
Social Programs	Improve access to education for all children by removing barriers such as a lack of transportation in rural areas.	2016
	Undertake activities to implement the Guides on Eliminating Child Labor and Safe Work for Adolescent Workers and the Here I Am and I Act Program.	2016

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- total number of new entrants in the last grade of primary education, regardless of age, expressed as a percentage of the population at the theoretical entrance age to the last grade of primary education. A high ratio indicates a high degree of current primary education completion. The calculation includes all new entrants to the last grade (regardless of age). Therefore, the ratio can exceed 100 percent, due to over-aged and under-aged children who enter primary school late/early and/or repeat grades. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
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In 2016, Colombia made a significant advancement in efforts to eliminate the worst forms of child labor. The Government eliminated the requirement that victims of human trafficking file an official complaint before they are able to receive non-emergency services and enacted by decree the National Strategy to Combat Trafficking in Persons for 2016–2018. The Ministry of Labor conducted 274 child labor inspections targeting high-risk sectors, compared to none in 2015, and signed an agreement with the Governor of Cundinamarca and Mayor of Pasto to combat child labor and protect adolescent workers. The Government also signed and ratified a peace accord with the Revolutionary Armed Forces of Colombia (FARC) in November 2016, under which the FARC committed to stop recruiting minors and release from their service all children under age 15. This led to the release of some illegally recruited minors used in armed conflict and the establishment of a protocol for the release of remaining children. In addition, the Government launched a pilot program to address child labor in unrefined brown sugar (panela) production. However, children in Colombia perform dangerous tasks in street work. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. The Government does not provide assistance to children engaged in street work or employ a sufficient number of labor inspectors.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Colombia perform dangerous tasks in street work. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking.(1-3) In 2016, the Government published results from the 2015 National Household Survey, which shows child labor among children ages 5 to 17 decreased from 9.3 percent in 2014 to 9.1 percent in 2015.(4) However, the survey results do not disaggregate information on health, occupational safety, or sectors in which children work, including priority sectors identified by the Government for child labor reduction, such as coffee and sugar cane.(5) Furthermore, the Government does not conduct research on child labor for hard-to-reach populations, including children engaged in street work.(5)

Table 1 provides key indicators on children's work and education in Colombia.

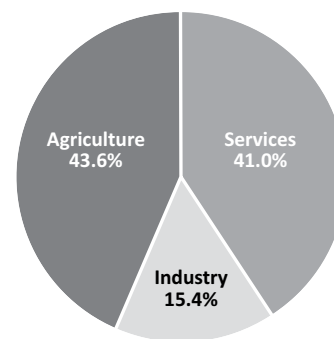
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.6 (392,515)
Attending School (%)	5 to 14	94.7
Combining Work and School (%)	7 to 14	4.8
Primary Completion Rate (%)		100.5

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Gran Encuesta Integrada de Hogares, Módulo de Trabajo Infantil Survey, 2015.(7)

Figure 1. Working Children by Sector, Ages 5-14



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Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of coffee,† sugarcane,† and unrefined brown sugar (<i>panela</i>)† (8-11)
	Hunting† and fishing,† activities unknown (12)
Industry	Mining coal,† emeralds,† gold,† tungsten,† coltan,† and clay† (9, 13-16)
	Producing bricks† (clay) (17)
	Construction,† activities unknown (18)
	Cutting and transporting lumber, and creating artisanal woodwork such as handicrafts and decorative items (19)
Services	Street work,† including vending, begging, and guarding or washing cars and motorcycles (1, 2, 11, 20-24)
	Recycling† and garbage scavenging† (2, 17, 25)
	Selling imported gasoline† (9, 17)
	Domestic work† (9, 11, 16, 26)
	Working in retail establishments, hotels, and restaurants, activities unknown (12, 27)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (11, 21, 28-30)
	Use in the production of pornography (2, 11, 28)
	Use in armed conflict by illegal armed groups, sometimes as a result of force, to perform intelligence and logistical activities, store and transport weapons, and engage in commercial sexual exploitation (11, 31)
	Use in illicit activities, including in forced begging, by gangs to commit homicides and traffic drugs, and in the production of marijuana, poppies, and coca (stimulant plant), sometimes as a result of human trafficking, (2, 3, 9, 11, 22, 29, 32, 33)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Children in Colombia are used for commercial sexual exploitation and illicit activities. Between January and November 2016, the Government registered 292 cases of commercial sexual exploitation of children, of which 247 were girls.(11) Most of these girls came from Antioquia, Atlántico, Bogotá, Bolívar, and Valle del Cauca.(11, 34). Commercial sexual exploitation of children takes place more often in private homes rented through the Internet than in commercial establishments.(11) In mining areas, trafficking of children—for forced labor and commercial sexual exploitation—is common, especially in Antioquia; Bajo Cauca; Barranco Minas, Guainía; and Northern Cauca.(35)

In Cartagena, children are forced by gangs to commit homicides and engage in commercial sexual exploitation.(36) Children also work on the streets of Cali and Medellín.(1, 20) In Cartagena, children—many of them Afro-Colombian—sell fruits and handicrafts in urban markets and offer services to tourists.(21, 36) In some cities, children in street work sell gum and sweets, guard parked vehicles, or work in recycling.(11)




The recruitment and use of children by illegal armed groups remained widespread and underreported in 2016, despite reaching a historic low after the Government signed a peace accord with the FARC.(11, 37) As a result of the peace accord, FARC released 13 minors to the Red Cross.(11) No additional minors were released by the end of the reporting period.(11)

Accessing education and high rates of school dropout continue to be challenges for many children, especially indigenous and Afro-Colombian children. Access to education is hindered by internal armed conflict, impassable routes, and long distances between children's homes and schools in rural areas.(11, 38, 39) For the small number of children from ethnic groups who may not speak Spanish as a first language, language barriers may also make education difficult to access.(19) Children who do not attend school are often the most vulnerable to the worst forms of child labor in Colombia.(21, 32)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Colombia has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The legal framework in Colombia appears to be sufficient to address and protect children from child labor (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 35 of the Code on Childhood and Adolescence (40)
Minimum Age for Hazardous Work	Yes	18	Article 117 of the Code on Childhood and Adolescence (40)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Resolution 3597 (41)
Prohibition of Forced Labor	Yes		Article 17 of the Constitution; Articles 141 and 188A of the Penal Code; Article 5 of Resolution 3597 (41-43)
Prohibition of Child Trafficking	Yes		Article 17 of the Constitution; Articles 188A–188C of the Penal Code; Article 5 of Resolution 3597 (41-43)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 213–219B of the Penal Code (43)
Prohibition of Using Children in Illicit Activities	Yes		Articles 162, 188D, and 344 of the Penal Code; Article 5 of Resolution 3597 (41, 43)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Article 13 of Law 418; Article 2 of Law 548 (44, 45)
State Voluntary	Yes	18	Article 13 of Law 418; Article 2 of Law 548 (44, 45)
Non-state Compulsory	Yes	18	Article 162 of Law 599; Article 20 of Law 1098; Article 14 of Law 418 (40, 43, 44)
Compulsory Education Age	Yes	18	Decision C-376/10 of the Colombian Constitutional Court (46)
Free Public Education	Yes		Article 1 of Decree 4807 (47)

In 2016, the Government eliminated the requirement that victims of human trafficking file an official complaint before they can receive non-emergency services.(48)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor's (MOL) Inspection, Monitoring, Control, and Territorial Management Department	Receive complaints of labor law violations and conduct labor inspections, including inspections to verify labor conditions for adolescent workers and compliance with other child labor provisions. Operate the Integrated Registration and Information System for Child Labor (SIRITI), a child labor monitoring system that identifies children engaged in or at risk of child labor.(2, 49) Oversee the Internal Working Group on Child Labor Eradication.(50)
Ministry of the Interior (MOI)	Operate a hotline through its Anti-Trafficking in Persons Operations Center to report and track cases of human trafficking, and facilitate access to social services for victims.(51)
National Police	Investigate cases of commercial sexual exploitation and human trafficking.(49)
Colombian Institute for Family Well-Being (ICBF)	Process child labor complaints; operate hotlines to report child labor cases, including its worst forms; and provide social services to children engaged in or at risk of child labor.(2, 52, 53) Operate 40 mobile units to coordinate government actions to protect children's rights, including with regard to child labor. Provide support to demobilized child soldiers by strengthening family networks and increasing access to health services, food, education, and shelter.(19)
Attorney General's Office (AGO)	Investigate and prosecute cases of child recruitment for armed conflict, commercial sexual exploitation, forced labor, and human trafficking.(2, 40) Oversee the Articulation Group for Combating Trafficking in Persons, which includes four prosecutors that focus on investigation and prosecution of cross-border human trafficking and other related crimes.(54)
Office of the Ombudsman	Promote the rights of children and adolescents and monitor policies related to children's human rights. Operate an early warning system to prevent the recruitment of children by illegal armed groups.(40)
Ministry of Health and Social Protection	Provide health services to victims of sexual violence, including child victims of commercial sexual exploitation and human trafficking.(55)
National Training Service (SENA)	Collect fines imposed by the MOL for labor law violations.(56)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Colombia took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	\$1,266,600‡ (11)
Number of Labor Inspectors	827† (2)	836‡ (11)
Number of Child Labor Dedicated Inspectors	14† (2)	Unknown
Inspectorate Authorized to Assess Penalties	Yes (2, 57)	Yes (11)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (2)	Unknown
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (2)	Yes
Number of Labor Inspections	8,108† (58)	Unknown (11)
Number Conducted at Worksite	Unknown	Unknown (11)
Number Conducted by Desk Reviews	Unknown	0‡ (11)
Number of Child Labor Violations Found	11† (2)	6‡ (11)
Number of Child Labor Violations for Which Penalties Were Imposed	11† (2)	6‡ (11)
Number of Penalties Imposed That Were Collected	Unknown	Unknown
Routine Inspections Conducted	Yes (2)	Yes (11)
Routine Inspections Targeted	No (2)	Yes (11)
Unannounced Inspections Permitted	Yes (2)	Yes (11)
Unannounced Inspections Conducted	Unknown	Yes (11)
Complaint Mechanism Exists	Yes (2)	Yes (11)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (11)

† Data are from January 2015 to December 2015.

‡ Data are from January 2016 to October 2016.

While the Government reported it had sufficient resources to conduct its work, resource allocation varied across offices, with fewer resources provided to rural offices such as those in Amazonas and Vichada.(11) In some cases, inspectors carried out inspections only in a small fraction of the department due to a lack of resources to reach areas that may be accessible only by boat or small planes.(2)

Although the Ministry of Labor (MOL) hired additional labor inspectors in 2016, the number of labor inspectors is insufficient for the size of Colombia's workforce, which includes more than 24 million workers. According to the ILO recommendation of 1 inspector for every 15,000 workers in industrializing economies, Colombia should employ about 1,629 inspectors.(11, 59-61) In 2016, the Government increased its child labor inspections, and, for the first time, conducted targeted inspections to prevent child labor. However, only one inspection was conducted in Bogotá, where the greatest incidence of child labor occurs.(11) The MOL also disseminated guidance on inspection strategies and preventive assistance to its regional and special labor offices.(11) However, the lack of adequate practical training for new inspectors hampered the labor inspectorate's enforcement of child labor laws.(11)

Despite the requirement that children between the ages of 15 and 17 obtain work authorization from the MOL, the 2014 National Household Survey found many adolescents worked without permits.(5) Due to a lack of compliance with child labor laws, the MOL revoked 124 work authorizations in 2016.(11) The MOL received 49 complaints for violations of child labor laws, which resulted in the issuance of 3 sanctions.(11) Research could not determine whether these fines were collected.(11) Between January and November 2016, 3,394 children were identified by the Government to be in need of assistance as a result of being removed from child labor.(11)

To combat child labor in the mining sector, the ICBF requires its regional offices to coordinate with the MOL regional offices during inspections of mines and quarries and to provide social services to children found working in mining.(62) However, it is unclear whether such coordination occurs in practice.

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Colombia took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (31)	Yes (11)
Number of Investigations	Unknown	2,240 (11)
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown	374 (11)
Number of Convictions	Unknown	258 (11)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (11)

In 2016, the Attorney General's Office (AGO) conducted 2,240 investigations of crimes related to the worst forms of child labor, including investigations of trafficking in persons for child commercial sexual exploitation.(11) The National Police also apprehended nine child traffickers.(11) Despite these efforts, the Government noted that insufficient resources hampered its capacity to enforce criminal laws related to the worst forms of child labor.(2, 11, 63)

In 2016, ICBF allocated more than \$5.3 million to provide services to child victims, and between January and November, it registered 292 child victims of commercial sexual exploitation and 46 child victims of trafficking.(11) However, the full scope of the problem is unknown, as few complaints of commercial sexual exploitation of children are filed.(36) In addition, some children's parents are afraid to file complaints because many of their recruiters are locally known individuals.(36) Commercial sexual exploitation of children is also underreported because victims are afraid to testify or otherwise be identified by the accused as part of the judicial process.(19)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Interagency Committee for the Elimination of the Worst Forms of Child Labor (CIETI)	Coordinate efforts to combat the worst forms of child labor. Chaired by the MOL, the Committee includes 13 government agencies and representatives from trade unions, business associations, and civil society organizations.(11) Oversee 32 department-level CIETIs, each comprising municipal-level committees, throughout the country.(64) In 2016, the MOL and ICBF drafted the preliminary public policy and roadmap for the National Policy to Prevent and Eliminate Child Labor and Protect the Young Worker (2016–2026).(11)
National System of Family Well-Being	Promote interagency coordination to protect children’s rights, including rights related to child labor.(11) Design, implement, monitor, and evaluate policies that affect children from early childhood to adolescence. Comprises the offices of the President and Vice President, 15 government ministries, and other government agencies. Overseen by the ICBF.(11)
National Interagency Committee for the Prevention and Eradication of Child Commercial Sexual Exploitation	Implement efforts to combat the commercial sexual exploitation of children. Led by the Ministry of Health and Social Protection, comprises 15 government agencies.(11) In 2016, held 3 meetings to discuss the execution of the National Policy to Prevent and Eliminate Child Labor and Protect the Young Worker and 10 work sessions to develop a draft policy to prevent commercial sexual exploitation of children.(11)
Interagency Committee to Combat Trafficking in Persons (<i>Comité Interinstitucional de Lucha Contra la Trata de Personas</i>)	Lead and coordinate efforts among government agencies to combat human trafficking. Created by Law 985 and chaired by the Ministry of the Interior, comprises 16 government entities and 6 permanent invitees, including private sector and international organizations.(2) In 2016, distributed modified trafficking victim identification materials to better identify vulnerable populations.(37)
Inter-sectorial Commission for the Prevention of the Recruitment and Use of Children by Illegal Armed Groups (CIPRUNA)	Coordinate efforts to prevent child recruitment by illegal armed groups, including for the purposes of commercial sexual exploitation. Created by Law 552 and led by the High Commissioner for Post-Conflict, Human Rights and Security, comprises 23 entities, with the AGO and the MOL as permanent members.(65, 66) In 2016, CIPRUNA and the ICBF referred 170 cases of forced recruitment of children to the AGO.(11)
Work Group to Assess Acceptable Activities for Adolescent Work in Coffee, Cotton, Sugar, and Rice	Coordinate with universities to research and assess types of activities that may be permitted for adolescents authorized to work in the coffee, cotton, sugar, and rice sectors. Created in 2014, comprises the UN Food and Agriculture Organization, the ILO, Department of National Planning, National Department of Statistics, Ministry of Agriculture, Ministry of Health, and the MOL.(64)

In 2015, the last year for which information is available, regional government officials recognized a need for increased coordination and information exchange between regional ICBF and MOL offices and the national headquarters to ensure the effective implementation of child labor policies.(21, 63, 67)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor†

Policy	Description
Child Labor Pact (2014–2018)	Aims to reformulate policies on the prevention and eradication of child labor and include them in national strategies; improve coordination among the MOL and other government agencies, the ILO, and industry associations; raise awareness of child labor issues in capital cities and tourist destinations; and train department-level officials on laws related to child labor and services available to victims.(64)
National Strategy for the Fight Against Trafficking in Persons (2016–2018)†	Aims to prevent human trafficking by raising awareness to detect potential victims, provide immediate assistance to victims, promote inter-institutional collaboration, strengthen and develop international cooperation mechanisms, and develop a data-gathering mechanism.(68) Established by Decree No. 1036 in 2016 and led by the Interagency Committee to Combat Trafficking in Persons.(69)

Table 9. Key Policies Related to Child Labor[†] (cont)

Policy	Description
Final Agreement for the End of Conflict and Construction of a Stable and Lasting Peace [†]	Signed by the Government and the FARC, and ratified by the Colombian Congress in November 2016 to end the armed conflict.(11, 69) Agreed to conduct a child labor eradication campaign, take immediate measures to eliminate the worst forms of child labor, strengthen the system for on-site labor inspections, and create a mobile inspection unit to reach rural areas.(11, 69) Also establishes the National Council for Reincorporation to oversee the demobilization and release of minors from the FARC's ranks.(11)
National Policy to Prevent the Recruitment of Children and Adolescents by Illegal Armed Groups	Directs actions to prevent the recruitment and use of children by illegal armed groups. Aims to address violence against children, including the worst forms of child labor, and improve interagency coordination.(70)
National Development Plan (<i>Todos por un Nuevo País</i>) (2014–2018)	Outlines Colombia's strategy to promote inclusive economic growth and national development. Seeks to improve access to quality education, lengthen the school day to 7 hours, and provide preschool for children under age 5.(71) In 2016, included a new requirement that the child labor survey be conducted annually.(11)
Memoranda of Understanding for the Prevention and Eradication of Child Labor in the Transport Sector (2015–2016) and for the Promotion of Respect for Children's and Adolescent's Rights in the Production of Coffee (2015–2016)	Signed in 2015 and expired in December 2016.(2) Promoted cooperation between the MOL and the Colombian Federation of Cargo Transporters and Logistics and the National Federation of Coffee Growers (FEDECAFE) to prevent and combat child labor in the transportation and coffee sectors.(2, 72) In 2016, the MOL and FEDECAFE reached an agreement with 560,000 coffee-growing families to abide by child labor laws, conduct awareness-raising campaigns, and establish a working group to identify activities in which children can legally participate.(11, 73) Under this agreement, the Public Employment Service also agreed to establish job centers in the municipalities prioritized by FEDECAFE to support hiring adults.(11)
Agreement Between the MOL, Governor of Cundinamarca, and Mayor of Pasto [†]	Agreed to prevent, deter, and eradicate child labor in its worst forms and protect adolescent workers.(17, 74)

[†] Policy was approved during the reporting period.

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(11, 64, 75)

In 2016, the Government continued to draft the National Policy to Prevent and Eliminate Child Labor and Protect the Young Worker, intended to replace the previous policy that expired in 2015.(11) The new policy aims to strengthen prevention strategies, update the list of hazardous activities, develop a list of activities permitted for young workers, develop cost-efficient mechanisms to identify child laborers, design coordination mechanisms with the private sector and unions, and generate programs in rural areas. In addition, in June 2016, the Government approved a national plan to prevent and eradicate the commercial sexual exploitation of children.(19)

Officials in some departments reported experiencing difficulties in implementing child labor policies due to a lack of current, reliable data on child labor. A lack of resources and training to update the MOL Integrated Registration and Information System for Child Labor has contributed to this situation.(17, 21, 63, 64, 67)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
Child Labor in Mining Prevention Program (<i>Prevenir es Mejor</i>)	Secretariat of Mining and Office of Infancy, Adolescence, and Youth program in Antioquia, provided 438 children with life skills training, legal and psychological support, and recreational activities to prevent and eradicate child labor in the mining sector.(76)
Projects Addressing Commercial Sexual Exploitation of Children [†]	Eyes Everywhere (<i>Ojos en Todas Partes</i>), a public awareness campaign that aims to prevent the commercial sexual exploitation of children in the tourism sector. Led by Ministry of Commerce, Industry, and Tourism, and implemented in coordination with ICBF and the National Tourism Fund.(2, 77) Sexual Violence – The Importance of the First 72 Hours, campaigns to train psychosocial teams and other service providers on how to conduct investigations related to the commercial sexual exploitation of children and provide assistance to victims.(11) In 2016, more than 183 family commissioners and psychosocial teams from Antioquia, Cundinamarca, and Huila were trained as part of this campaign.(11)

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Table 10. Key Social Programs to Address Child Labor[†] (cont)

Program	Description
Projects Addressing Trafficking in Persons	Eye on Trafficking [†] aims to increase awareness of human trafficking among high school students; School Environments in Coexistence and Peace [†] focuses on identifying potential trafficking victims; and The Butterflies, a comic book released by Women’s Link Worldwide, Renacer Foundation, and UNODC, aims to raise awareness about human trafficking among children and adolescents.(11)
Development for Social Prosperity Programs [†]	More Families in Action (<i>Más Familias en Acción</i>) uses a conditional cash transfer program seeking to combat poverty and build human capital; United Network (<i>Red Unidos</i>), coordinates actions to reduce inequality and end extreme poverty; Healthy Generations (<i>Generaciones con Bienestar</i>), operates a children’s rights program offering cultural and recreational activities for children ages 6 to 17 identified as vulnerable to the worst forms of child labor; and Youth in Action (<i>Jóvenes en Acción</i>) provides technical job training and conditional cash transfer for vulnerable urban youth ages 16 to 24.(78-84)
Mobile Teams for Comprehensive Protection – Child Labor (EMPI)	Led by ICBF, assist families vulnerable to child labor by linking them to the National System of Family Well-Being. (11) Between January and November 2016, assisted 1,429 children engaged in child labor, operating in 8 cities, including Arauca, Barranquilla, Bogotá, Cartagena, Ocaña, Riohacha, Sincelejo, and Soacha.(11, 85)
ICBF Projects [†]	Colombia Network Against Child Labor (<i>Red Colombia contra el Trabajo Infantil</i>), a public-private partnership that builds on the UN Global Pact Initiative to create collaboration between Colombian businesses and the MOL to eliminate child labor. In 2016, implemented the “Stick your tongue out at child labor” social media campaign. (86-88) Healthy Generations, a project that aims to prevent child labor and protect young workers in 58 municipalities. In 2016, served 117,214 children in 32 departments and launched a pilot program in coordination with the Association of Sugar Cane Growers to prevent child labor in the agricultural sector, especially in panela production, serving 720 at-risk children in Cauca and Valle de Cauca.(11)
Decent Work Program	Project implemented by the ILO to promote decent work, including combating child labor.(89, 90)
National Household Survey [†]	National Administrative Department of Statistics annual national household survey that includes questions on child labor.(91)
INGRUMA Indigenous Training Center	Funded by USAID to provide specialized services to indigenous youth who have been victims of child soldiering. (92, 93) As of 2016, 18 youth have graduated from the Training Center.(37)
<u>We Are a Treasure (Somos Tesoro)</u> (2013–2017)	USDOL-funded \$9 million project to combat child labor and promote safe work in the mining sector. Implemented by PACT, Inc., in partnership with the Alliance for Responsible Mining, <i>Mi Sangre</i> Foundation, and the Fund for Environmental Action and Childhood.(94-96) In 2016, 10 municipalities included a commitment to prevent and reduce child labor in their municipal development plans, and in partnership with the Government and ILO, designed and implemented a training program to strengthen local technical capacities aimed at preventing and reducing child labor in mining.(97, 98) Additional information is available on the USDOL Web site .

[†] Program is funded by the Government of Colombia.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(99-103)

Research did not find evidence of programs to assist children engaged in street work.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Colombia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that labor inspectors have sufficient resources to perform inspections.	2009 – 2016
	Increase the number of labor inspectors responsible for enforcing laws related to child labor to meet the ILO recommendation.	2009 – 2016
	Publish information on child labor law enforcement efforts, including the number of penalties imposed that were collected for labor violations.	2009 – 2016
	Improve coordination between the ICBF and MOL to enforce child labor laws in the mining sector.	2009 – 2016
	Ensure that all adolescents who work in allowable activities have received the legally required authorization from the MOL.	2015 – 2016
	Publish information on the number of violations related to the worst forms of child labor, as well as initial training for new labor inspectors and criminal investigators.	2014 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Take steps to protect the identity of child victims of commercial sexual exploitation, especially for those on whose behalf complaints are filed.	2014 – 2016
	Provide sufficient resources to criminal law enforcement officials to enforce criminal laws related to the worst forms of child labor.	2014 – 2016
Coordination	Ensure that information is exchanged among coordinating bodies at the national and regional levels.	2012 – 2016
Social Programs	Publish information about activities in which children and adolescents work, including disaggregating information about health, occupational safety, and sectors where children work, especially in the production of coffee and sugarcane, and in street work.	2009 – 2016
	Ensure that children are protected from armed conflict while in school.	2013 – 2016
	Expand efforts to improve access to education for all children, particularly for indigenous and Afro-Colombian children, including by improving transportation infrastructure, building more schools in rural areas, and offering instruction in local languages.	2013 – 2016
	Implement programs to address child labor, including in street work.	2012 – 2016

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Comoros

MODERATE ADVANCEMENT

In 2016, Comoros made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted the National Policy for the Protection of Children, which includes a component to combat the worst forms of child labor. The Government's Monitoring Group for the Fight Against Trafficking in Persons also met several times during the year and drafted a new action plan to combat human trafficking. However, children in Comoros perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in forced domestic work. A gap between the minimum age for work and the age for compulsory education leaves children ages 13 to 15 vulnerable to child labor. In addition, limited resources for the systematic enforcement of child labor laws impede government efforts to protect children from the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Comoros perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in forced domestic work. (1-6) Table 1 provides key indicators on children's work and education in Comoros.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	23.0 (42,145)
Attending School (%)	5 to 14	81.5
Combining Work and School (%)	7 to 14	20.8
Primary Completion Rate (%)		76.4

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Demographic and Health Survey (DHS), 2012.(8)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of manioc,† beans,† vanilla,† cloves,† and ylang-ylang† (1, 5, 6, 9, 10)
	Animal husbandry† (3)
	Fishing,† activities unknown (3, 5, 6, 9)
Industry	Carpentry,† activities unknown (3)
	Extracting and selling marine sand† (6)
	Construction,† activities unknown (3)
Services	Domestic work† (1-3, 9, 11, 12)
	Street work, activities unknown (3, 5)
	Repairing cars and bicycles,† including tire vulcanization† and battery charging† (3)
Categorical Worst Forms of Child Labor‡	Forced labor in domestic work, street vending, baking, fishing, and agriculture (4, 6, 10)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2, 4)

† Determined hazardous by national law or regulation.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.




Some parents who are unable to care for their children send them to wealthier families that are expected to provide food, shelter, and schooling to the children in exchange for housework. In practice, some of these children receive care and an education, while many become domestic workers and are victims of labor exploitation and abuse.(4-6, 13) In Comoros, it is a traditional practice to send children to Koranic teachers to receive an education. Some Koranic teachers, however, force their students to work; girls usually perform domestic work and boys perform agricultural labor.(4, 6, 13) In nearby Mayotte, which is administered by France, reports indicate that there are over 3,000 unaccompanied children from Comoros, some of whom are exploited in the worst forms of child labor, including commercial sexual exploitation and forced domestic work.(4, 14, 15)

Although the Constitution guarantees free compulsory primary education, this provision is not enforced effectively, and many children, especially girls, do not attend school.(6, 16) Also, the lack of school infrastructure and the limited availability of teachers impede access to education, which may increase the vulnerability of children to the worst forms of child labor.(1, 6, 9, 12, 17)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Comoros has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). The legal framework in Comoros appears to be sufficient to address and protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	15	Article 129 of the Labor Code (18)
Minimum Age for Hazardous Work	Yes	18	Article 131(d) of the Labor Code; Article 7 of Law to Combat Child Labor and Trafficking (18, 19)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		List of Dangerous Occupations; Article 131(d) of the Labor Code; Article 7 of Law to Combat Child Labor and Trafficking (18-20)
Prohibition of Forced Labor	Yes		Articles 2.1 and 131 of the Labor Code; Article 13 of the Law to Combat Child Labor and Trafficking (18, 19)
Prohibition of Child Trafficking	Yes		Article 131 of the Labor Code; Article 13 of the Law to Combat Child Labor and Trafficking (18, 19)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 131 of the Labor Code; Articles 8–11 and 13 of the Law to Combat Child Labor and Trafficking; Articles 322 and 323 of the Penal Code (18, 19, 21)
Prohibition of Using Children in Illicit Activities	Yes		Article 131(c) of the Labor Code; Article 6(c) of Law to Combat Child Labor and Trafficking (18, 19)
Minimum Age for Compulsory Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 41 of Law No. 97-06/AF (22)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Non-state Compulsory	Yes		Article 6(a) of Law to Combat Child Labor and Trafficking(19)
Compulsory Education Age	Yes	12	Article 2 of the Outline Act on the Education System (23)
Free Public Education	Yes		Article 1 of the Outline Act on the Education System; Preamble of the Constitution (23, 24)

* No conscription (25)

The Government has drafted a Penal Code and a Code of Criminal Procedures that increase the penalties for human trafficking crimes and has also submitted a proposal to ratify the Palermo Protocol on Trafficking in Persons; however, neither of these legislative proposals was enacted during the reporting period.(4, 15, 26, 27)

The Labor Code allows children under the minimum age to perform light work in domestic work or agriculture as long as it does not interfere with education or with physical or moral development.(18) The Labor Code, however, does not specify the conditions under which light work may be conducted or limit the number of hours for light work, as defined by international standards on child labor.(28) In addition, children working in unpaid or non-contractual work do not have the same protections under child labor laws and regulations as do children working in contractual employment.(5, 28)

Children in Comoros are required to attend school only up to age 12. This standard makes children ages 13 through 15 vulnerable to the worst forms of child labor as they are not required to attend school but are not legally permitted to work.(29, 30)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MOL)	Enforce child labor laws, investigate allegations of child labor, and refer cases of the worst forms of child labor for criminal investigation.(3, 4, 6)
Police Morals and Minors Brigade	Investigate allegations of child abuse, including child trafficking, and refer cases for prosecution.(3, 4)
Ministry of Justice (MOJ)	Prosecute criminal cases, including those related to child trafficking.(3, 15)
National Commission for Human Rights and Freedoms (CNDHL)	Receive complaints of the worst forms of child labor, investigate violations, and refer cases to the MOJ for prosecution.(3, 31)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Comoros did not take actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	4 (10)	4 (3)
Inspectorate Authorized to Assess Penalties	Yes (10)	Yes (10)
Training for Labor Inspectors		
Initial Training for New Employees	No (10)	N/A
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (10)	No (3)
Number of Labor Inspections	0 (10)	0 (3)
Number Conducted at Worksite	0 (10)	0 (3)
Number Conducted by Desk Reviews	0 (10)	0 (3)
Number of Child Labor Violations Found	0 (10)	0 (3)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	N/A
Number of Penalties Imposed that Were Collected	N/A	N/A
Routine Inspections Conducted	No (10)	No (10)
Routine Inspections Targeted	N/A	N/A
Unannounced Inspections Permitted	Unknown	Unknown
Unannounced Inspections Conducted	No (10)	No (10)
Complaint Mechanism Exists	Unknown	No (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Unknown

In 2016, the Ministry of Labor (MOL) employed four labor inspectors: two in Grand Comore, one for Anjouan, and one for Mohéli.(3) The number of labor inspectors is insufficient for the size of Comoros's workforce, which includes over 245,000 workers. According to the ILO recommendation of 1 inspector for every 40,000 workers in less developed economies, Comoros should employ about 6 inspectors.(10, 32-34) Reports indicate there is a lack of equipment, transportation, and funding available to conduct child labor inspections and legal proceedings.(3, 6, 15)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Comoros did not take actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	No (10)	No (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	No (10)	No (3)
Number of Investigations	0 (35)	0 (3, 15)
Number of Violations Found	0 (35)	0 (3)
Number of Prosecutions Initiated	0 (35)	0 (3, 15)
Number of Convictions	0 (35)	0 (3, 15)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown	No (5)

Reports indicate that a lack of trained staff, equipment, transportation, and funding inhibit criminal law enforcement efforts on the worst forms of child labor.(1, 4, 5, 15) Police are unable to open an investigation unless the victim self-reports the alleged crime at the police station and can pay the expenses associated with the investigation, including fuel and telephone fees; therefore, investigations are reactive and depend on the victim's wealth and knowledge of the criminal justice system, making investigations of cases involving victimized children unlikely.(5)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Committee Against Child Labor	Coordinate government efforts on child labor, including the implementation of the National Action Plan to Combat Child Labor. Chaired by the Ministry of Labor.(12, 13, 28, 36)
Monitoring Group for the Fight Against Trafficking in Persons	Coordinate actions against human trafficking and implement the Anti-Trafficking in Persons Action Plan. Headed by the Secretary General of the Government and includes representatives from the MOL, MOJ, CNDHL, and police.(4, 5, 10) In 2016, met several times to draft a new Action Plan.(4)

The National Committee Against Child Labor was inactive during the reporting period.(37)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies on child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
Anti-Trafficking in Persons Action Plan	Includes the goals of enhancing the legal framework to prevent human trafficking and commercial sexual exploitation and providing effective protection and care for victims.(5, 13, 38) In 2016, the TIP Task Force drafted a new action plan, which was not validated because of the presidential elections.(4, 15, 35)
National Policy for the Protection of Children (2016–2021)†	Aims to improve child protection in Comoros; includes components to combat the worst forms of child labor, with a focus on child trafficking. Led by the Ministry of Health.(3)
Strategy for Accelerated Growth and Sustainable Development (2015–2019)	Aims to reduce poverty, promote sustainable development, and increase access to social services. Integrates strategies that target child labor.(4, 26, 39)

† Policy was approved during the reporting period.

In 2016, the National Action Plan to Combat Child Labor remained unfunded.(37)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government of Comoros funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Child Protection Units†	Government program that provides social and reintegration services to vulnerable and sexually abused children. Comprises three government-operated units on the islands of Anjouan, Grande Comore, and Mohéli.(4, 5, 26)
Decent Work Country Program (2015–2019)	Program that aims to guarantee labor rights and extend social protection programs for vulnerable populations, including by improving the operational environment for the elimination of child labor and its worst forms.(11) Overseen by the MOL and supported by the ILO. In 2016, conducted raising awareness campaigns to improve access to decent work for youth.(11, 40)
UNICEF Country Program (2015–2019)	\$20,885 UNICEF-funded program that supports the Government's efforts to strengthen children's rights to survival, development, education, protection, and social inclusion.(1, 26). In 2016, continued to fund shelters for victims of the worst forms of child labor operated by the NGO <i>Service d'Ecoute</i> .(3, 12)

† Program is funded by the Government of Comoros.

Although the Government has in place programs that target child labor, their scope is insufficient to fully address the extent of the problem, particularly in agriculture and domestic work.(15) Comoros also lacks a specific program to assist children exploited by religious instructors.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Comoros (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2014 – 2016
	Ensure that the law's light work provisions prescribe the number of hours per week that light work may be undertaken, and specify the conditions under which light work may be conducted, as defined by international standards on child labor.	2012 – 2016
	Ensure that the law's minimum age provisions and protections apply to children in unpaid or non-contractual work.	2015 – 2016
Legal Framework	Raise the compulsory education age to 15 to be equivalent to the minimum age for work.	2009 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Carry out inspections and criminal investigations to enforce compliance with the laws that address child labor.	2009 – 2016
	Increase the resources, training, available transportation and equipment, and number of criminal law investigators and labor inspectors responsible for enforcing laws on child labor to provide adequate coverage of the workforce.	2009 – 2016
	Publish information on the labor inspectorate's funding, the number of criminal investigators, law violations and penalties assessed, and criminal investigations, prosecutions, and convictions related to cases of the worst forms of child labor.	2009 – 2016
	Establish referral mechanisms between labor and criminal law enforcement agencies and social welfare entities.	2014 – 2016
Coordination	Ensure that the National Committee Against Child Labor actively carries out its responsibilities related to the worst forms of child labor.	2014 – 2016
Government Policies	Fund and implement the National Action Plan to Combat Child Labor.	2016
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including girls, by increasing school infrastructure and teacher availability.	2014 – 2016
	Conduct research to determine the activities carried out by children working in fishing, carpentry, construction, and street work to inform policies and programs.	2016
	Expand existing programs to address the scope of the child labor problem, particularly in agriculture and domestic work.	2009 – 2016
	Implement a program to assist children exploited by religious instructors.	2016

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In 2016, the Democratic Republic of the Congo made a significant advancement in efforts to eliminate the worst forms of child labor. The Government adopted a revision to the Labor Code that raised the minimum age of work to 18 and launched a Human Development Systems Strengthening Project that aims to increase access to birth registration and improve school infrastructure. As part of its Child Soldiers Action Plan, the Joint Technical Working Group established new committees in Tanganyika and North Kivu and validated standard operating procedures for age verification in military recruitment. The Government also worked with the UN to investigate individuals accused of forcibly recruiting children and initiated plans for making reparations to former child soldiers. However, children in the Democratic Republic of the Congo continue to engage in the worst forms of child labor, including in the forced mining of gold, tin ore (cassiterite), tantalum ore (coltan), and tungsten ore (wolframite), and are used in armed conflict, sometimes as a result of forcible recruitment or abduction by non-state armed groups. A lack of trained personnel, resources, and poor coordination hampered the Government's efforts to combat child labor, and laws mandating free primary education are not enforced.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Democratic Republic of the Congo (DRC) engage in the worst forms of child labor, including in the mining of gold, tin ore (cassiterite), tantalum ore (coltan), and tungsten ore (wolframite), and are used in armed conflict, sometimes as a result of forcible recruitment or abduction by non-state armed groups.(1-5) Table 1 provides key indicators on children's work and education in the DRC.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	35.8
Attending School (%)	5 to 14	77.3
Combining Work and School (%)	7 to 14	37.1
Primary Completion Rate (%)		66.8

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2016.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Demographic and Health Survey, 2013–2014.(7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including tilling fields, planting seeds, watering crops, carrying heavy loads,† weeding, harvesting crops, and use of chemical products and machetes in the production of coffee, peanuts, tea, quinine, eggplant, manioc, sweet potatoes, leafy greens, corn, beans, rice, cassava leaves, and other vegetables (3, 8-13)
	Fishing, including maintaining fishing tools, baiting hooks, transporting heavy loads, the use of explosives, and salting, smoking, and packaging fish (8, 9, 13)
	Herding and raising livestock such as chickens, goats, and pigs, including cleaning cages or stalls, disposing of waste, and feeding animals (9, 12-14)
	Hunting (8, 12)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Industry	Mining,† including sifting, cleaning, washing, sorting, working underground,† transporting, carrying heavy loads,† use of mercury and explosives, and digging in the production of diamonds, copper, cobalt ore (heterogenite), gold, tin ore (cassiterite), tantalum ore (coltan), and tungsten ore (wolframite) (1-3, 8, 9, 15-23)
	Working as auto mechanics, on construction sites, and in carpentry workshops, craft workshops, and road construction (8)
	Working in quarries,† including breaking stone into gravel (15)
Services	Domestic work (8, 14, 24)
	Driving motorcycle taxis (10)
	Street work, including vending, garbage scavenging, carrying packages, unloading or parking vehicles, and washing cars (8, 9, 14, 21, 25, 26)
Categorical Worst Forms of Child Labor‡	Forced mining of gold, cassiterite, coltan, and wolframite, sometimes as a result of debt bondage (1, 4, 27, 28)
	Forced domestic work and commercial sexual exploitation, each sometimes as a result of trafficking (1, 4, 8, 9, 15, 17, 18, 20, 25, 29-31)
	Use in illicit activities, including for spying, stealing, carrying stolen goods, smuggling minerals, and distributing drugs (4, 18, 32-34)
	Forced recruitment of children by non-state armed groups for use in armed conflict, including as bodyguards, messengers, porters, domestic workers, spies, check point monitors, looters, and concubines (4, 29, 35-39)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

In 2016, members of indigenous and foreign non-state armed groups—including the Lord’s Resistance Army (LRA), *Forces Démocratiques de Libération du Rwanda* (FDLR), *Nduma Défense du Congo* (NDC/Cheka), *Force de Résistance Patriotique en Ituri* (FRPI), Mayi Mayi groups, and other armed groups—continued to abduct and recruit children to be used in their units.(37-41) Some victims of child trafficking were recruited at refugee camps in neighboring countries and transported through DRC to participate in armed conflict.(27) Child labor in artisanal mining is prevalent in the provinces of Katanga, Eastern and Western Kasai, North and South Kivu, and Orientale, and the commercial sexual exploitation of girls and sometimes boys is prevalent around mining sites.(2, 4, 14) However, a comprehensive, standalone, child labor survey has never been conducted in the DRC.(13, 42)

Although the Government has mandated free primary education, these laws were not implemented throughout the country and some families are required to pay for school uniforms, tuition, and additional fees, which may be prohibitive.(2, 8, 9, 13, 19, 21, 25, 40, 43-45) Many schools throughout the DRC are oversubscribed, understaffed, poorly maintained, or require students to travel long distances.(2, 8, 12, 45, 46) Schools in eastern DRC may be closed due to the conflict, or occupied by armed groups or internally displaced persons.(5, 8, 29, 37, 39-41, 47) There are also reports that children may be forcibly recruited or sexually abused on their way to school or subject to physical or sexual abuse at school.(27, 29, 40, 47) Children may sometimes join armed groups or engage in child labor in artisanal mines hoping to earn money, and internally displaced children often have difficulty accessing education.(2, 9, 15, 17, 19, 22, 46, 48) Low rates of birth registration leave many children vulnerable to child labor.(9, 40, 46, 49)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The DRC has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor



Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓

Table 3. Ratification of International Conventions on Child Labor (cont)

Convention	Ratification
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in the DRC's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	18	Article 6.3 of the Labor Code; Article 50 of the Child Protection Code (50-52)
Minimum Age for Hazardous Work	Yes	18	Article 10 of the Decree Establishing the Conditions for Children's Work (53)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 28-35 of Decree on Working Conditions for Women and Children; Articles 10-15 of the Decree Establishing the Conditions for Children's Work; Articles 23 and 26 of the Mining Code; Article 8b of the Decree on Validation Procedures for Artisanal Mines; Article 125 of the Labor Code (52-56)
Prohibition of Forced Labor	Yes		Articles 2 and 3 of the Labor Code; Articles 53 and 187 of the Child Protection Code; Articles 16 and 61 of the Constitution; Article 8 of the Decree Establishing the Conditions for Children's Work (44, 50, 51, 53)
Prohibition of Child Trafficking	Yes		Article 3 of the Labor Code; Articles 53 and 162 of the Child Protection Code; Article 174j of the Penal Code; Article 8 of the Decree Establishing the Conditions for Children's Work (50, 51, 53, 57)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 3 of the Labor Code; Articles 53, 61, 169, 173, 179-180, 182, 183, and 187 of the Child Protection Code; Article 174 b, 174 j, 174 m, and 174 n of the Penal Code; Article 8 of the Decree Establishing the Conditions for Children's Work (50, 51, 53, 57)
Prohibition of Using Children in Illicit Activities	Yes		Article 3 of the Labor Code; Article 8 of the Decree Establishing the Conditions for Children's Work; Articles 53 and 187 of the Child Protection Code (50, 51, 53)
Minimum Age for Military Recruitment			
State Compulsory	Yes*	18	Article 7 of the Law on Armed Forces; Article 27 of the Law on the Military Status of the Congolese Armed Forces; Articles 53 and 187 of the Child Protection Code (50, 58, 59)
State Voluntary	Yes	18	Article 27 of the Law on Armed Forces; Articles 53, 71, and 187 of the Child Protection Code (50, 58)
Non-State Compulsory	Yes	18	Articles 53 and 187 of the Child Protection Code; Article 190 of the Constitution (44, 50, 58)
Compulsory Education Age	No	12‡	Articles 7.21, 12, and 72 of the Law on National Education; Article 43 of the Constitution (44, 60)
Free Public Education	Yes		Article 43 of the Constitution; Article 38 of the Child Protection Code; Articles 12 and 72 of the Law on National Education (44, 50, 60)

* No conscription (3)

‡ Age calculated based on available information (43, 50, 60)

In July 2016, the Government adopted revisions to the Labor Code that raise the minimum working age to 18, prohibit children from working at night in either public or private enterprises, and permit children ages 16 and 17 to engage in light work as determined by the Ministry of Labor. However, the fine for violating the minimum age law is \$16, and penalties for forced child labor are not commensurate with penalties imposed for other worst forms of child labor.(50, 52) Other laws awaiting adoption include a law to establish specialized mixed chambers to try war crimes, including the recruitment and use of child soldiers; the implementing decree for the Child Protection Code; and a Mining Code revision that punishes forced child labor on mining sites.(20, 29, 31, 61-63)

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III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment, Labor, and Social Welfare (MOL)	Investigate cases related to child labor, including its worst forms.(9, 40) Refer cases of child labor to the Ministry of Justice and Human Rights (MOJ) for prosecution.(64)
Ministry of Justice and Human Rights (MOJ)	Enforce criminal laws related to child labor.(9, 27) Oversee four juvenile courts in Kinshasa, 18 UNICEF-funded child protection courts throughout the country, and assist the International Criminal Court in conducting investigations and prosecutions against individuals who allegedly used children in armed conflict.(64, 65)
Ministry of the Interior	Through its Congolese National Police Unit for the Protection of Women and Children, enforce laws related to the worst forms of child labor.(62, 66) Through its Police for Child Protection and Combating Sexual Violence (PEVS), combat conflict-related sexual and gender-based violence against women and children, protect children and women who are victims of physical abuse, and ensure demobilization of children. MOI refers all cases to the MOJ for prosecution, and assists victims in seeking justice.(62, 65, 67-70)
Ministry of Gender, Children, and Family (MOGCF)	Oversee and investigate cases related to the commercial sexual exploitation of children.(9, 27)
Ministry of Social Affairs, Solidarity, and Humanitarian Action (MINASA)	Monitor humanitarian programs and coordinate with UNICEF, USAID, and NGOs to provide social services to vulnerable groups, including street children, trafficking victims, and child soldiers.(27, 71, 72)
Ministry of Defense (MOD)	Investigate and use military courts to prosecute military officials suspected of recruitment and use of child soldiers or forced labor of civilians. Lead the implementation of the Child Soldiers Action Plan.(27, 49) Through its Department of Child Protection (DISPE), coordinate actions with UNICEF.(66)

Labor Law Enforcement

In 2016, labor law enforcement agencies in the DRC took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown* (73)	\$0 (3, 40)
Number of Labor Inspectors	243 (70)	200 (3)
Inspectorate Authorized to Assess Penalties	No (51)	Unknown (3, 51)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Unknown* (3)
Training on New Laws Related to Child Labor	N/A	No (3)
Refresher Courses Provided	No (49, 70)	No (3)
Number of Labor Inspections	Unknown	0 (3, 40)
Number Conducted at Worksite	Unknown	N/A
Number Conducted by Desk Reviews	Unknown	N/A
Number of Child Labor Violations Found	Unknown (49)	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	N/A
Number of Child Penalties Imposed that Were Collected	Unknown	N/A
Routine Inspections Conducted	Unknown	No (3)
Routine Inspections Targeted	Unknown	N/A
Unannounced Inspections Permitted	Yes (51)	Yes (3)
Unannounced Inspections Conducted	Unknown	No (3)
Complaint Mechanism Exists	Unknown	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (70)	Yes (3)

* The Government does not publish this information.

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The number of labor inspectors is insufficient for the size of DRC's workforce, which includes over 3.1 million workers.(74) According to the ILO's recommendation of 1 inspector for every 40,000 workers in less developed economies, the DRC should employ 777 inspectors.(74-76) The Inspector General has requested the permission and resources to hire new inspectors for the past three years without success, and acknowledges inadequate human and financial resources hinder the inspectorate's ability to conduct investigations throughout the country.(3, 4, 21, 70) In addition, research found conflicting information on whether inspectors are authorized to assess penalties.(3, 51)

By the end of 2016, Government officials, in cooperation with IOM and USAID, validated over 200 artisanal mines as free of child labor.(27, 65, 77, 78) However, labor laws are rarely enforced in the informal and artisanal mining sectors, where the majority of child labor is found.(9, 40) Although child labor violations may be reported to the Children's Court, research indicates this mechanism is not effective.(3)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in the DRC took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown (49)	No (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	No (3)
Refresher Courses Provided	Yes (49)	Yes (27)
Number of Investigations	7 (35, 62)	0 (3)
Number of Violations Found	2,549 (41)	1,846(27)
Number of Prosecutions Initiated	1 (49)	Unknown (3)
Number of Convictions	1 (49)	0 (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (49)	Yes (3)

In 2016, the Presidential Adviser on Sexual Violence and Child Recruitment began exploring a data collection project on forced prostitution and sexual slavery, including the use of girls as concubines.(27, 65) During the reporting period, the Government also significantly increased its prosecution efforts related to the worst forms of child labor, worked with the UN to investigate individuals accused of forcibly recruiting children, and initiated plans for making reparations to former child soldiers formerly associated with Thomas Lubanga, who was convicted in March 2012 for the forced recruitment of children in armed conflict.(27, 40, 79, 80) In addition, the Armed Forces of the DRC (FARDC) engaged in military operations against armed groups that used child soldiers, which led to the surrender and escape of some children.(27) Research indicates that some law enforcement officials and members of the judiciary may lack the knowledge, capacity, or resources to investigate and prosecute child labor violations effectively.(27, 49) The justice system also lacks independence, funding, capacity, and legitimacy, which weakens its ability to enforce laws and prosecute violators.(27, 31, 35, 81)

There were reports that some children associated with armed groups were detained, held in cells with adults, interrogated, and beaten, despite the enactment of a 2012 directive that requires that all children separated from armed groups be immediately transferred to the UN.(4, 31, 40, 41, 48, 82-85) The UN Organization Stabilization Mission in the DRC (MONUSCO) and FARDC officials conducted a joint mission to a military prison in March 2016 and identified 22 children who had been unlawfully detained; they began working with the Government to have the children transferred.(83)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Committee to Combat the Worst Forms of Child Labor (NCCL)	Oversee the National Action Plan to Combat the Worst Forms of Child Labor (NAP) and build the capacity of partner organizations.(86-88) Led by the MOL and includes representatives from 12 other ministries, local NGOs, and civil society.(3, 71, 87, 88)

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Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor (cont)

Coordinating Body	Role & Description
Disarmament, Demobilization, and Reintegration Commission (UEPN-DDR)	Led by the MOD, coordinate the identification, verification, and release of child soldiers by collaborating with the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), UNICEF, and NGOs.(27, 89) Through its Children Associated with Armed Forces and Armed Groups unit, coordinate the identification, verification, and release of children associated with armed groups and refer them to social service providers for family reunification and reinsertion.(3, 89)
Joint Technical Working Group (JTWG)	Coordinate implementation of the Child Soldiers Action Plan. Led by the MOGCF and includes representatives from four other ministries and the UN.(49) Through its Provincial JTWGs, coordinate implementation at the provincial level in North Kivu, South Kivu, and Orientale provinces.(49, 81) In 2016, met regularly and established a new Provincial JTWG in Tanganyika and a sub-regional JTWG in North Kivu.(27)
Working Group on Trafficking in Persons*	Analyzes human trafficking trends and discuss strategies to lobby for comprehensive trafficking legislation and an interministerial coordinating body. Led by IOM and the U.S. Embassy; includes representatives from three ministries, civil society organizations, and other government officials.(27)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

Rapid decentralization left some new leadership positions vacant without adequately trained staff to fill them. A lack of resources, trained personnel, poor coordination among relevant ministries, and competing priorities have impeded the Government's efforts to combat the worst forms of child labor.(27, 49) Although the UEPN-DDR is meant to take the lead on child soldier issues, research indicates this did not always happen in practice.(27) The National Committee to Combat the Worst Forms of Child Labor did not carry out any activities in 2016 due to a lack of funding and a proposed committee to combat human trafficking remains stalled for the third consecutive year.(3, 27)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
National Action Plan to Combat the Worst Forms of Child Labor (NAP) (2012–2020)	Developed by the NCCL in consultation with UNICEF to eliminate the worst forms of child labor in the DRC by 2020.(8, 90, 91) Promotes the enforcement of legislation on the worst forms of child labor; awareness raising and empowering communities to stop child labor practices; universal primary education; prevention and reintegration services; improved monitoring and evaluation efforts; and improved coordination of stakeholders.(8, 91)
Action Plan to End the Recruitment and Use of Child Soldiers (Child Soldiers Action Plan)	UN-backed plan which aims to prevent and end the use of children in armed forces, provide support and reintegration services, pursue accountability for perpetrators, and create a partnership framework for the UN and the Government.(92, 93) In April 2016, the JTWG, UNICEF, and MONUSCO validated standard operating procedures for age verification to help the Armed Forces of the DRC (FARDC) avoid underage recruitment, which successfully prevented over 191 children from enlisting.(27, 38) In October 2016, hosted a conference with civil society and the military to evaluate implementation of the Child Soldiers Action Plan and create a roadmap for continued work through 2019.(27)
UEPN-DDR's National Disarmament, Demobilization, and Reintegration Plan (PNDDR) DDR III	Aims to significantly improve the security situation in Eastern Congo by eradicating armed groups and providing rehabilitation and reintegration services to 12,205 demobilized combatants, including children.(65, 94-96) Implemented with the support of the UN and international partners in support of the 2013 Framework Agreement for Peace, Security and Cooperation for the DRC and the Great Lakes Region.(95, 97, 98) Includes a 2013 directive that requires the immediate transfer of all demobilized or detained children to humanitarian organizations.(49) In 2016, cooperated fully and collaborated closely with the UN to identify and remove children from the FARDC, allowing frequent and often unfettered access to its bases.(27, 49, 85)
National Action Plan Against Sexual Violence in Conflict	MOGCF policy in support of UN resolution 1325 on women, peace, and security, that aims to combat sexual violence against girls as part of armed conflict and ensure prosecution of perpetrators.(99)

[‡]The Government had other policies that may have an impact on child labor.(18, 31, 66, 100)

The Government has not integrated child labor elimination and prevention strategies into the UN Development Assistance Framework (2013–2017). The National Action Plan to Combat the Worst Forms of Child Labor has been awaiting approval from the National Labor Council since 2015.(65)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
World Bank-funded Projects	Projects in support of re-establishing peace and stability. Includes <u>Reinsertion and Reintegration Project (2015–2019)</u> , a \$21 million project that aims to assist with social reintegration for the child combatants identified as part of DDR III; <u>Support to Basic Education Program (2013–2017)</u> , a \$100 million project implemented by the Ministry of Primary, Secondary, and Vocational Education that aims to increase access to education; and the <u>Human Development Systems Strengthening (2016–2020)</u> ,* a \$41.1 million project which aims to increase birth registration and improve school infrastructure through an information management system.(46, 98, 101-105)
Program to Support Vulnerable Children	\$4 million Government of Japan-funded program that aims to provide education, vocational training, reintegration kits, and school feeding programs to 13,000 children and construct a training center for youth in North Kivu Province.(106)
Decent Work Country Program (2013–2016)	\$44.5 million ILO-implemented program to contribute to the consolidation of peace and reconstruction in the DRC by promoting social protection and decent work for youth, as well as ensuring that child protection agencies use the NAP.(107)

* Program was launched during the reporting period.

The scope of existing child DDR programs is insufficient and tensions with FLDR ex-combatants impede successful implementation. In addition, the process is slow, collaboration between partners is weak, and reintegrated child soldiers remain vulnerable to re-recruitment and stigmatization.(27, 31, 33, 36, 48, 85, 108) Outreach campaigns targeting girls resulted in an increase in girls separated from armed groups, but more attention still needs to be given to girls in the DDR process; girls make up an estimated 30 to 40 percent of children associated with armed groups, but only 8 percent have been demobilized.(32, 42, 48, 82, 108-110) Research was unable to determine whether activities were undertaken to implement the Program to Support Vulnerable Children or the Decent Work Country Program (2013–2016) during the reporting period.(66) Research also indicates the Government needs to strengthen its efforts to assist street children, integrate child labor issues into existing agricultural programs, and implement programs specifically designed to assist children engaged in mining, forced labor in domestic work, and commercial sexual exploitation.(29-31)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in the DRC (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish by law a compulsory education age that extends to the minimum age for employment.	2013 – 2016
	Raise penalties for the use of underage child labor and forced or compulsory labor to be commensurate with other serious crimes.	2013 – 2016
	Issue appropriate decrees to ensure that enacted laws are implemented.	2013 – 2016
Enforcement	Implement existing laws, including those that provide for free education and require demobilized children to be handed over to child protection actors for social services and reintegration assistance. Cease the practice of beating children and/or detaining children with adults for engaging in the worst forms of child labor.	2009 – 2016
	Significantly increase the number of labor inspectors in accordance with the ILO recommendation and ensure that they receive adequate resources and training to carry out their duties throughout the country.	2011 – 2016
	Ensure that judges, prosecutors, and investigators are knowledgeable about child labor issues and can investigate and prosecute violations through the judiciary.	2011 – 2016
	Strengthen the labor inspectorate by authorizing inspectors to assess penalties, conducting routine and unannounced inspections, including in the informal sector, and ensuring a functional complaint mechanism.	2015 – 2016

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Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information on enforcement data, including the number of prosecutions initiated.	2009 – 2016
Coordination	Improve coordination among relevant ministries and ensure that they receive adequate resources to combat the worst forms of child labor, including child trafficking.	2015 – 2016
	Ensure that UEPN-DDR is able to coordinate the Government's DDR III program as intended.	2015 – 2016
	Ensure that the NCCL receives a dedicated budget and is able to carry out activities in support of its mandate.	2014 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2014 – 2016
	Ensure action plans to combat the worst forms of child labor have adequate resources and are fully implemented.	2011 – 2016
Social Programs	Conduct a standalone child labor survey.	2013 – 2016
	Improve access to education for all children, including those who are internally displaced, by eliminating school-related fees, regulating classroom size, training additional teachers, building additional schools, and ensuring that schools are safe and students are not subjected to sexual abuse while at school.	2012 – 2016
	Ensure that all children are registered at birth or have identification documents.	2012 – 2016
	Expand efforts to address the needs of demobilized children and integrate stigmatization, gender, and re-recruitment concerns into programs to reintegrate such children.	2009 – 2016
	Ensure existing social programs are implemented as intended and establish or expand efforts to address exploitative child labor.	2009 – 2016

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In 2016, the Republic of the Congo made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government continued to implement a social safety net program that provided cash transfers to 3,455 households and rescued 13 children from forced domestic work that resulted from human trafficking. However, children in the Republic of the Congo perform dangerous tasks in domestic work. Children also engage in the worst forms of child labor, including in commercial sexual exploitation. The Government has yet to ratify the Palermo Protocol on Trafficking in Persons and there is no mechanism to coordinate efforts to address child labor at the national level, including all its worst forms. The Government failed to allocate funding to the Ministry of Labor and Social Security or the Ministry of Social Affairs, Humanitarian Action and Solidarity to combat child labor and child trafficking. In addition, information on children's work is extremely limited because there has never been a national child labor survey or similar research conducted in the Republic of the Congo.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Republic of the Congo (ROC) perform dangerous tasks in domestic work. Children also engage in the worst forms of child labor, including in commercial sexual exploitation.(1-5) Table 1 provides key indicators on children's work and education in ROC.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	27.9 (286,137)
Attending School (%)	5 to 14	90.2
Combining Work and School (%)	7 to 14	29.9
Primary Completion Rate (%)		74.3

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2016.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Deuxième Enquête Démographique et de Santé du Congo (EDSC-II) Survey, 2011–2012.(7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including in the production of manioc, peanuts, corn, plantains, potatoes, and sugar cane (2-4, 8-10) Catching and smoking fish (2)
Industry	Working in stone quarries, including breaking stones (2, 4, 8)
Services	Domestic work (4, 11) Working in transportation as bus touts (4, 8) Market vending and carrying heavy loads (2, 4, 8)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 3, 8, 12-14)
	Forced labor in farming, including in the production of cocoa, and in domestic work, working in stone quarries, fishing, and market vending, each sometimes as a result of human trafficking (1-3, 5, 8, 15)
	Forced labor of indigenous <i>Baka</i> children in farming, including in the production of sugar cane, and in fishing, hunting, and domestic work (8, 16)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Children from West African countries, indigenous communities, and the Democratic Republic of the Congo are trafficked to larger cities within ROC such as Pointe-Noire and Brazzaville for forced labor and commercial sexual exploitation.(1, 3, 8, 17, 18) Indigenous children are particularly vulnerable to forced labor in agriculture.(1-3, 8, 19) Information on children’s work is limited because there has never been a national child labor survey or similar research conducted in ROC.(20)




The Constitution stipulates that education is free until age 16; however, some parents are required to pay for books, uniforms, and school fees, which may limit access to education for some children.(2, 19, 21) Over-enrollment, poor administration of the education sector, a lack of teachers, and sexual abuse in schools also pose barriers to education for some children.(2, 19, 21, 22) Indigenous children throughout the country experienced discrimination, linguistic barriers, prohibitive school fees, and long distances to schools.(2, 19, 23) Some children in the Pool region had difficulty accessing education during the reporting period due to political instability.(24-29) There was no evidence that the Government restricted access to post-primary education for refugees. The UNHCR provides the majority of education for refugee children but reduced its support during the reporting period due to budget constraints, resulting in a 21 percent decrease in enrollment rates.(19)

During the reporting period, the Government was preoccupied with the presidential election, the resulting unrest, and the change in administration, which may have impeded its efforts to combat child labor.(30-32)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Republic of the Congo has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in ROC’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Article 116 of the Labor Code (33)
Minimum Age for Hazardous Work	Yes	18	Order 2224 of 1953; Article 68 of the Child Protection Code (12, 34)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 68 of the Child Protection Code; Order 2224 of 1953 (12, 34)

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Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Forced Labor	Yes		Article 33 of the Constitution; Article 4 of the Labor Code; Articles 60, 68, and 122 of the Child Protection Code (33-35)
Prohibition of Child Trafficking	Yes		Articles 60, 68, and 122 of the Child Protection Code (34)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 65–68 and 122 of the Child Protection Code; Articles 334–335 of the Criminal Procedure Code (34, 36)
Prohibition of Using Children in Illicit Activities	Yes		Articles 68–70 and 122 of the Child Protection Code (34)
Minimum Age for Military Recruitment			
State Compulsory	Yes*	18	Article 49 of the Child Protection Code (34)
State Voluntary	Yes	18	Article 49 of the Child Protection Code (34)
Non-state Compulsory	Yes	18	Article 49 of the Child Protection Code (34)
Compulsory Education Age	Yes	16	Articles 1 and 3 of the Education Law; Article 29 of the Constitution (35, 37)
Free Public Education	Yes		Article 1 of the Education Law; Article 29 of the Constitution (35, 37)

* No conscription (20, 38, 39)

A draft revision to the Hazardous Work List of 1953 has been pending since 2012, and a draft anti-trafficking law that includes more severe penalties for offenders has been awaiting adoption by the Parliamentary Committee since 2013.(18, 28, 32, 40-42) Research indicates that existing laws regarding child trafficking may not be specific enough to facilitate enforcement, and existing laws allow children under age 18 to be voluntarily recruited into the state armed group with the child and parents' consent.(8, 34) In addition, existing penalties for the worst forms of child labor may not be severe enough to serve as deterrents because they are not commensurate with penalties for other serious crimes.(1, 2, 34)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MOL)	Enforce child labor laws and monitor officially registered businesses.(2, 3, 19)
Ministry of Justice and Human Rights (MOJ)	Enforce criminal laws against the worst forms of child labor.(2, 3) Dedicate two judges—one judge in Brazzaville and one in Pointe-Noire—to child protection cases.(11)
Ministry of the Interior's National Police	Enforce criminal laws against the worst forms of child labor and conduct initial investigations in cases of forced labor, human trafficking, and the use of children in illicit activities.(2, 3)
Ministry of Social Affairs, Humanitarian Action and Solidarity (MSA)	Promote the rights of vulnerable groups and contribute to anti-trafficking efforts by identifying and providing social welfare assistance to victims.(2, 19) Through its Task Force, lead efforts to combat human trafficking in Pointe-Noire, designate foster families to receive victims, and assist in repatriating or reintegrating victims.(2, 3)
Ministry of Foreign Affairs and Cooperation	Coordinate with the MSA in repatriating victims of child trafficking and monitor bilateral and multilateral agreements with neighboring countries to combat human trafficking.(3)

Due to budget constraints, the Government has not disbursed funding to the MSA for human trafficking-related programming for more than two years, despite its inclusion in the budget.(2, 32)

Labor Law Enforcement

In 2016, labor law enforcement agencies in the Republic of the Congo took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown* (11)	Unknown* (2)
Number of Labor Inspectors	12 (11)	12 (2)
Inspectorate Authorized to Assess Penalties	Yes (33)	Yes (2)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (11)	No (2)
Number of Labor Inspections	Unknown (11)	Unknown* (2)
Number Conducted at Worksite	Unknown (11)	Unknown* (2)
Number Conducted by Desk Reviews	Unknown (11)	Unknown* (2)
Number of Child Labor Violations Found	0 (11)	Unknown* (2)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (11)	Unknown* (2)
Number of Penalties Imposed That Were Collected	N/A (11)	Unknown* (2)
Routine Inspections Conducted	No (11)	No (2)
Routine Inspections Targeted	N/A	N/A (28)
Unannounced Inspections Permitted	Yes (33)	Yes (2)
Unannounced Inspections Conducted	No (11)	No (2)
Complaint Mechanism Exists	No (43)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (10)	Yes (2)

* The Government does not publish this information.

The number of labor inspectors is insufficient for the size of the Republic of the Congo's workforce, which includes more than 1.8 million workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in industrializing economies, ROC should employ roughly 120 labor inspectors. (44-46) Training opportunities for labor inspectors are very limited, and the Government did not allocate any funding to the Ministry of Labor and Social Security (MOL) in 2016 for inspections targeting child labor. (2, 9) Due to a lack of staff, labor inspections are typically limited to the formal sector, leaving children in the informal sector without legal protection. Penalties were also rarely applied for violations of the Labor Code. (2, 47) In addition, inspectors do not have access to government vehicles and rely on the employers being inspected to provide transportation. (2, 8, 47) Research was unable to find information on the complaint mechanism or the reciprocal referral mechanism. (28)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in the Republic of the Congo took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	No (11)	No (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (2)
Refresher Courses Provided	No (11, 48)	No (2)
Number of Investigations	4 (1, 11)	5 (28, 32)
Number of Violations Found	7 (11)	13 (28)
Number of Prosecutions Initiated	0 (11, 16)	5 (32)
Number of Convictions	0 (11)	0 (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (2)

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The MSA, the MOL, the Ministry of Justice and Human Rights (MOJ), and the National Police work together to enforce criminal laws against child trafficking; however, their efforts were limited to Brazzaville and Pointe-Noire, and the number of investigations conducted was insufficient given the scope of the problem.(2, 32) In 2016, only an NGO identified victims of child trafficking, which paid a fee of \$16 to the local police for assistance in rescuing each victim.(32) The MSA and the MOJ reported difficulties in prosecuting offenders due to a weak judicial system and criminal law enforcement officials' and judges' unequal knowledge of anti-trafficking legislation and the Child Protection Code.(1, 3, 8, 32) In addition, the two judges dedicated to child protection have not tried any cases since their appointments in 2013.(2, 32) The Police Commander in Pointe-Noire noted that additional training is needed, particularly for lower-level police officers who may be illiterate or have received minimal training.(32)

To comply with the standards of the Palermo Protocol, the Government mandates that all human trafficking cases be prosecuted as felonies, rather than as *delicts*, which is a more severe violation than a misdemeanor but less severe than a felony. Felony courts meet infrequently and irregularly, due to a lack of resources, a large backlog of cases dating over five years, and complex prosecution requirements.(1, 32) Rather than prosecuting child trafficking cases, the MSA Task Force may summon those accused of child trafficking.(2, 8, 28, 32) Although these summons often resulted in the accused trafficker paying for the victim's repatriation and reintegration kit, they did not deter the perpetrators from trafficking.(1, 2, 16)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established a Task Force to combat child trafficking in Pointe-Noire, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
MSA Task Force	Function as the Anti-Trafficking Coordinating Committee for Pointe-Noire to coordinate all efforts to combat child trafficking in Pointe-Noire with UNICEF's support. Composed of government representatives and civil society organizations.(3, 11, 16) Prevent, identify, and rescue children of West African origin from situations of child trafficking, including by raising public awareness and by repatriating or reintegrating victims of child trafficking.(11, 16)

The MSA Task Force met three times in 2016 to facilitate reparation payments from alleged traffickers to victims but did not carry out any other activities due to a lack of funding.(32) The Task Force continues to rely heavily on a local NGO to initiate investigations, sometimes with police assistance in exchange for a fee paid by the NGO. In addition, the MOJ and the MSA have expressed concern that the MSA Task Force does not include a representative from the MOJ.(16) Weak inter-ministerial coordination, reduced funding, and poor recordkeeping continue to challenge the Government's ability to coordinate its efforts to address human trafficking.(1-3)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Fight Against Trafficking in Persons (2014–2017)	Aims to establish a National Commission to Fight Against Trafficking in Persons, develop systems for monitoring and evaluation, strengthen the legal framework, and provide social services to victims of human trafficking.(49) Includes public awareness campaigns, training for law enforcement officials, and improvement of enforcement activities related to child trafficking.(43)

Although the Government has adopted the National Action Plan to Fight Against Trafficking in Persons, the Government failed to allocate resources to the National Action Plan, and research was unable to determine whether activities were undertaken to implement this policy during the reporting period.(1, 16) Research found no evidence of a policy on other worst forms of child labor.(3, 50) The Government has not included child labor elimination and prevention strategies in the National Development Plan (2012–2016), the Education Sector Policy (2015–2025), and the Cost Free Identity Document Policy.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
Safety Net Program (LISUNGI) (2014–2018) [†]	\$17 million Government and World Bank-funded project that grants improved access to health and education services to poor families in Brazzaville, Cuvette, and Pointe-Noire.(2, 8, 51) Includes a pilot cash transfer program to cover 5,000 households, and an evaluation system to measure the change in project participants' situations.(8, 51-53) In 2016, provided regular cash transfers to 3,455 households.(54) By the end of 2016, funding commitment from the Government was not met.(2)
School Feeding Programs [†]	Programs throughout the country that aim to reduce dropout rates and encourage school attendance.(2) The Government and U.S. Government's McGovern-Dole International's Food for Education and Child Nutrition Program, implemented by the International Partnership for Human Development, provides school lunches to approximately 150,000 students.(2, 9) The WFP's program targets about 100,000 students annually. In 2016, these two programs provided assistance to 246,000 students.(11, 55)
Observe, Reflect, Act (ORA) Schools [†]	Ministry of Education program supported by UNICEF, the EU, and the WFP to improve access to education for indigenous children through a 2- or 3-year preparatory program.(18, 23, 56) Identifies children who should be added to the civil register, provides school supplies to students, and raises awareness among indigenous families about the importance of education.(18, 57)

[†] Program is funded by the Government of the Republic of the Congo.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(2, 3, 8, 11, 14, 16)

Although the Government has implemented programs to assist victims of child trafficking, these efforts are focused on West African victims. Research found no evidence that the Government has carried out programs to assist children engaged in other worst forms of child labor, such as forced labor in domestic work and commercial sexual exploitation.(2, 32) However, the Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms. Research was unable to determine whether activities were undertaken to implement existing programs during the reporting period, and current funding levels are not sufficient to address the scope of child labor, including its worst forms, in the Republic of the Congo.(11, 43)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in the Republic of the Congo (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2015 – 2016
	Ensure that the minimum age for voluntary military service is no lower than age 16, and that safeguards exist to protect children ages 16 and 17 in the armed forces.	2015 – 2016
	Ensure that legislation is specific enough to facilitate enforcement and that penalties for violating laws regarding the worst forms of child labor are severe enough to serve as deterrents.	2015 – 2016
Enforcement	Significantly increase the number of labor inspectors and investigators to meet the ILO recommendation and ensure that they receive adequate resources to effectively enforce labor laws throughout the country.	2010 – 2016
	Publish information related to enforcement statistics, including the funding level for the labor inspectorate, the number and type of labor inspections conducted, violations found, and penalties imposed and collected for child labor violations.	2014 – 2016
	Institutionalize training for labor inspectors, investigators, and law enforcement, including at the beginning of their employment and through periodic refresher courses.	2014 – 2016

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Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Strengthen the labor inspectorate by conducting a sufficient number of routine and unannounced inspections to enforce labor laws throughout the country, including in the informal sector, and ensure that penalties are applied in accordance with the law.	2015 – 2016
	Remove barriers to enforcement and prosecution by strengthening the judicial system, conducting an adequate number of investigations to protect victims throughout the country, training prosecutors on existing laws, and allocating resources to the judges responsible for child protection cases.	2014 – 2016
Coordination	Establish coordinating mechanisms to combat child labor, including all its worst forms.	2009 – 2016
	Ensure that coordinating bodies include all relevant ministries and receive adequate resources to function as intended.	2014 – 2016
	Improve inter-ministerial coordination and recordkeeping to effectively combat human trafficking issues.	2014 – 2016
Government Policies	Ensure that policies receive adequate funding to carry out activities as intended.	2016
	Adopt a policy that addresses all relevant forms of child labor, such as domestic work and the worst forms of child labor in commercial sexual exploitation.	2013 – 2016
	Integrate child labor elimination and prevention strategies into existing policies.	2009 – 2016
Social Programs	Conduct a national child labor survey or similar research to determine the activities carried out by working children to inform policies and programs.	2013 – 2016
	Improve access to education for all children regardless of status or ethnicity by eliminating all school-related fees, regulating classroom size, building additional schools, training additional teachers, and ensuring that students are not subject to sexual abuse.	2009 – 2016
	Institute programs to address the worst forms of child labor in domestic work and commercial sexual exploitation.	2009 – 2016
	Ensure that social programs are implemented as intended.	2016
	Increase funding levels to address the full scope of child labor, including its worst forms, and ensure the sustainability of social programs.	2012 – 2016

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In 2016, Costa Rica made a significant advancement in efforts to eliminate the worst forms of child labor. The National Institute of Statistics and Census conducted the National Household Survey, which contained a child labor module. The Ministry of Labor and Social Security launched a scholarship program with the Joint Institute for Social Aid to cover educational expenses for children engaged in child labor and signed agreements with El Salvador and Guatemala to work together to eradicate child labor in their countries. However, children in Costa Rica perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Existing social programs are insufficient to reach all child laborers, and resources for the Government's child labor law enforcement agencies are inadequate.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Costa Rica perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking.(1-12) Table 1 provides key indicators on children's work and education in Costa Rica.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.4 (34,494)
Attending School (%)	5 to 14	92.2
Combining Work and School (%)	7 to 14	4.2
Primary Completion Rate (%)		99.5

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(13)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4 (MICS 4), 2011.(14)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Harvesting bananas and pineapple (15)
	Picking coffee (2-4, 15-18)
	Weeding, clearing land, and watering seeds (5)
	Cattle raising (2, 4)
	Fishing,† including shellfish extraction (1, 4, 6, 19)
Industry	Construction, activities unknown (1, 2, 19)
	Manufacturing, activities unknown (1, 2)
Services	Commerce, including in stores, hotels, restaurants, and supermarkets (1, 2, 19, 20)
	Street vending,† car washing, and repairing motor vehicles (2, 4, 6, 19, 21)
	Domestic work (1, 2, 6, 19)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [†]	Commercial sexual exploitation, sometimes as a result of human trafficking (4, 7-12, 19)
	Use in the production of pornography (7, 10, 12, 22)
	Forced labor in the agriculture, construction, fishing, street vending, and commercial sectors (8, 9, 12)
	Domestic servitude (8, 9, 12)
	Use in transporting or selling drugs (8, 11)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.




[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Research indicates that *Ngäbe Buglé* indigenous children in Costa Rica travel with their families to coffee farms. Coffee pickers are paid by the number of baskets they fill, and children reportedly participate in the coffee harvest with their families by collecting beans from the ground and from shorter plants.(3, 16-18) Access to education remains a challenge for children from indigenous and afro-descendant communities.(23, 24) *Ngäbe Buglé* children migrating with their families to coffee farms may face additional challenges accessing social services due to long distances to service providers, language barriers, and difficulties obtaining required documents from government institutions.(3, 16-18)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Costa Rica has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Costa Rica’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Articles 78 and 92 of the Childhood and Adolescence Code (25)
Minimum Age for Hazardous Work	Yes	18	Articles 1 and 5 of Law 8922; Article 87 of the Labor Code (26, 27)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 94 of the Childhood and Adolescence Code; Article 5 of Law 8922; Article 88 of the Labor Code; Articles 5 and 6 of Regulation No. 36640 (25-28)
Prohibition of Forced Labor	Yes		Articles 20 and 56 of the Constitution; Article 8 of the Labor Code; Articles 7, 170–172, 189, 192, 376, 381, 383, and 384 of the Penal Code; Article 84 of Regulation No. 36659 (26, 29-32)
Prohibition of Child Trafficking	Yes		Articles 7, 170–172, 189, 192, 376, 381, 383, and 384 of the Penal Code; Article 84 of Regulation No. 36659 (30-32)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 160, 168, and 170–174 of the Penal Code (30)
Prohibition of Using Children in Illicit Activities	Yes		Articles 7, 188, 381, and 390 of the Penal Code; Article 77 of the Narcotics Law (30, 33)
Minimum Age for Military Recruitment			
State Compulsory	N/A†		
State Voluntary	N/A†		
Non-state Compulsory	No		
Compulsory Education Age	Yes	17‡	Articles 57 and 59 of the Childhood and Adolescence Code; Article 78 of the Constitution (6, 25, 29)
Free Public Education	Yes		Article 59 of the Childhood and Adolescence Code; Article 8 of the Education Law; Article 78 of the Constitution (25, 29, 34)

† No standing military (29, 35)

‡ Age calculated based on available information (6, 25, 29)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MTSS)	Investigate reports of child labor, including hazardous and forced child labor, and enforce child labor laws.(11, 19) Protect adolescent labor rights by conducting school and workplace visits, providing referrals to government services, and writing socio-labor studies and technical reports.(20, 25)
Prosecutor's Office	Enforce criminal laws protecting children, including laws prohibiting forced child labor, human trafficking, commercial sexual exploitation, and the use of children in illicit activities. Administer the following investigative and prosecutorial units: the Specialized Prosecutorial Unit against Trafficking in Persons, the Organized Crime Unit, the Specialized Prosecutorial Unit for Gender Issues, and the Juvenile Justice Unit.(19)
Judicial Investigative Police	Conduct investigations of child labor violations, including child trafficking, child commercial sexual exploitation, and the use of children in illicit activities.(11, 19)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Costa Rica took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$11,000,000 (36)	\$11,500,000 (4, 37)
Number of Labor Inspectors	89 (10)	93 (4)
Inspectorate Authorized to Assess Penalties	No (21)	No (4)
Training for Labor Inspectors		
Initial Training for New Employees	No (10)	Yes (4)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (10)	No (4)
Number of Labor Inspections	13,152 (38)	17,728 (4)
Number Conducted at Worksite	Unknown	17,728 (4)
Number Conducted by Desk Reviews	Unknown	0 (4)

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Number of Child Labor Violations Found	207 (39)	437 (40)
Number of Child Labor Violations for Which Penalties Were Imposed	1 (10)	2 (4)
Number of Penalties Imposed That Were Collected	0 (10)	3 (41)
Routine Inspections Conducted	Yes (10)	Yes (37)
Routine Inspections Targeted	Yes (10)	Yes (37)
Unannounced Inspections Permitted	Yes (21)	Yes (4)
Unannounced Inspections Conducted	Unknown	Yes (4)
Complaint Mechanism Exists	Yes (21)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (4)

In 2016, enforcement of child labor laws remained a challenge due to the lack of resources for inspections, including for transportation.⁽⁴⁾ The number of labor inspectors is insufficient for the size of Costa Rica's workforce, which includes over 2 million workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Costa Rica should employ roughly 153 inspectors.⁽⁴²⁻⁴⁴⁾ The Ministry of Labor and Social Security reported it had insufficient personnel and transportation resources to enforce labor laws. Government monitoring and enforcement of child labor laws was particularly limited in the informal sector, where much of child labor, especially hazardous adolescent work, occurs.^(2, 4, 10, 39, 45) Informal work is more common in agriculture than in other sectors in Costa Rica.⁽²⁾

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Costa Rica took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Yes (46)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (10)	Yes (4)
Number of Investigations	50 (47)	128 (4)
Number of Violations Found	Unknown	128 (4)
Number of Prosecutions Initiated	10 (47)	0 (46)
Number of Convictions	17 (10)	2 (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	Yes (4)

The Judicial Investigative Police reported an inadequate number of investigators, resulting in the slow processing of trafficking cases.⁽⁴⁾

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
MTSS Office for the Eradication of Child Labor and Protection of the Adolescent Worker (OATIA)	Coordinate government policies and programs to combat child labor. ^(2, 5, 6) Monitor implementation of the Roadmap Towards the Elimination of Child Labor in Costa Rica. Provide technical assistance to government ministries and design social programs to combat child labor. ⁽⁴⁸⁾ Oversee the Inter-Institutional Coordinating Protocol for the Protection of Working Minors. ^(6, 49) In 2016, OATIA provided child labor training and consultation services to 2,464 individuals, including through partnerships with the Ministries of Agriculture and Culture, and signed a cooperative agreement with the Social Welfare Institute (IMAS) on the eradication of child labor. ^(37, 40)

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor (cont)

Coordinating Body	Role & Description
National Committee for the Elimination of Child Labor and the Protection of Adolescent Work	Develop and promote policy and program initiatives focused on eliminating child labor and regulating adolescent work. Overseen by OATIA and includes a technical secretariat that comprises representatives from various sectors.(5, 6)
National Child Welfare Agency (PANI)	Ensure child labor victims receive interagency social services, including temporary shelter, legal advice, and victim counseling. Responsible for reintegrating child labor victims into the educational system.(11, 25)
National Commission to Combat the Commercial Sexual Exploitation of Children and Adolescents (CONACOES)	Address child trafficking and the commercial sexual exploitation of minors.(11, 19) Report to the National Council of Childhood and Adolescence with legal standing under PANI, the body's lead agency.(19, 37)

The Office for the Eradication of Child Labor and Protection of the Adolescent Worker (OATIA) indicated that staff turnover and weak implementation of relevant protocols limit the Government's ability to address child labor, noting staff need a national child labor database to strengthen coordination and additional training on applying manuals and protocols.(5)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
2010–2020 Roadmap Towards the Elimination of Child Labor in Costa Rica	Aims to eradicate all forms of child labor in Costa Rica by 2020 by strengthening anti-poverty, health, and educational programs and policies, and by raising awareness on child labor.(50-52)
Inter-Institutional Coordinating Protocol for the Protection of Working Minors	Outlines service provision for child laborers through collaboration between the MTSS, PANI, the Ministry of Education, and IMAS, as well as their regional and local agencies and the private sector.(2, 5, 53)
National Plan for Development (2015–2018)	Incorporates efforts to decrease child labor into national education and poverty reduction strategies.(21, 54)
Bridge to Development (2015–2018)	Aims to reduce poverty and eliminate vulnerability, including child labor, by providing social services to families in poor communities.(5, 10, 52, 55)

In 2016, the Ministry of Labor of Costa Rica signed agreements with Guatemala and El Salvador to work together to eradicate child labor in their countries, including through a knowledge exchange on Costa Rica's implementation of a business network against child labor and El Salvador's child labor monitoring and evaluation system.(37, 40, 56) The Coordination Agreement on Labor Migration between the Ministries of Labor of Costa Rica and Panama aims to strengthen dialog on labor migration between the two countries, with an emphasis on indigenous Panamanian migrant workers and their families; however, child labor elimination and prevention strategies do not appear to have been fully integrated into this policy.(57)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
2016 National Household Survey**†	National Institute of Statistics and Census survey, with child labor module, conducted in July 2016.(3, 4, 58)
Child Labor Awareness Campaign	MTSS and Ministry of Education public-private partnership supported by <i>Fundación Telefónica</i> to raise awareness of child labor through social media.(48)
Face of Justice Shelter**†	NGO-run shelter for child victims of human trafficking that provides PANI-funded monthly subsidies to victims and care from full-time staff, including a trauma psychologist and health practitioner.(12)

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Table 10. Key Social Programs to Address Child Labor (cont)

Program	Description
Houses of Joy (<i>Casas de la Alegría</i>) [†]	Public-private alliance that provides culturally sensitive daycare and meals to indigenous children whose parents work on coffee farms in Coto Brus and Los Santos. Aims to promote social inclusion and developmental opportunities for indigenous children and provide an alternative to child labor in the coffee harvest.(3, 10, 16, 59-61) IMAS funds meals, caregiver salaries, and training; farm owners provide the land and classroom, with financial contributions from UNICEF for building and teaching materials. Began as a pilot in 2014 with 6 centers serving 175 children; by 2016, expanded to 17 centers serving 600 children.(10, 16, 37, 46, 59-61)
Let's Get Ahead Program (<i>Avancemos</i>) [†]	IMAS program that provides monthly conditional cash transfers to low-income families to keep children in school and out of exploitative work.(2, 11, 19, 62, 63) In 2016, launched a new scholarship program by the MTSS and IMAS that provides monthly education subsidies to families with children engaged in child labor.(64, 65)
Age Classroom (<i>Aula Edad</i>) [†]	Ministry of Education program that targets children and adolescents who have never been to school or who dropped out, adolescent mothers and workers, and foreign migrant adolescents to help them complete primary school.(10, 66, 67)

* Program was launched during the reporting period.

† Program is funded by the Government of Costa Rica.

While the Government continues to support initiatives to eradicate child labor, current programming does not reach all children who are engaged in the worst forms of child labor in commercial sexual exploitation or in dangerous labor in agriculture. According to OATIA, existing social programs were insufficient to fully address the problem of child labor, including its worst forms, and additional staff and funding are required to assist children engaged in child labor and their families.(5, 10)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Costa Rica (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
Enforcement	Increase the number of labor inspectors trained and responsible for providing enforcement of child labor laws to meet international standards.	2015 – 2016
	Increase child labor inspections in the informal sector, particularly in agriculture.	2015 – 2016
	Strengthen the labor inspectorate by permitting inspectors to determine and assess penalties for child labor violations.	2014 – 2016
	Ensure adequate funding for human resources, transportation, and training for labor and criminal law enforcement agencies.	2013 – 2016
Coordination	Strengthen coordination mechanisms by providing additional training on protocols.	2015 – 2016
	Increase coordination and information sharing between government agencies responsible for monitoring and evaluating child labor cases.	2015 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into the Coordination Agreement on Labor Migration between the Ministries of Labor of Costa Rica and Panama.	2015 – 2016
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including children from indigenous and afro-descendant communities, by expanding existing social programs to strengthen school retention and completion for children and adolescents, particularly at the secondary level.	2015 – 2016
	Increase access to education and other services for indigenous children in coffee growing areas to ensure they have alternatives to participating in the coffee harvest.	2015 – 2016
	Expand programs to reach more children working in agriculture and being subjected to commercial sexual exploitation.	2009 – 2016
	Increase the financial and human resources dedicated to key social programs to address child labor.	2009 – 2016

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In 2016, Côte d'Ivoire made a significant advancement in efforts to eliminate the worst forms of child labor. The Government enacted the Anti-Trafficking Law that carries more stringent penalties for offenders and adopted a Constitution that explicitly prohibits child labor and enshrines the right to education for both boys and girls. The National School of Administration integrated new modules on child labor into the curriculum for labor inspectors. With the assistance of UNICEF, the Government published a report on the expansion of its child labor monitoring system, SOSTECI, that included child labor prevalence data in three departments. In addition, the First Ladies of Ghana and Côte d'Ivoire signed a joint declaration and cooperative agreement against cross-border human trafficking. The Government also launched a Ten-Year Education Training Plan and entered a partnership agreement with the International Cocoa Initiative to expand SOSTECI and improve school infrastructure in support of the National Action Plan for the Fight Against the Worst Forms of Child Labor. However, children in Côte d'Ivoire engage in the worst forms of child labor in the harvesting of cocoa and coffee, sometimes as a result of human trafficking. Gaps remain in enforcement efforts, and the labor inspectorate is not authorized to assess penalties.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Côte d'Ivoire engage in the worst forms of child labor, including in the harvesting of cocoa and coffee, sometimes as a result of human trafficking.(1-6) According to a report by Tulane University published in 2015 that assessed data collected during the 2013–2014 harvest season, the cocoa sector employed an estimated 1,203,473 child laborers ages 5 to 17, of which 95.9 percent were engaged in hazardous work in cocoa production.(7) Table 1 provides key indicators on children's work and education in Côte d'Ivoire.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	31.5 (1,682,754)
Attending School (%)	5 to 14	63.5
Combining Work and School (%)	7 to 14	21.5
Primary Completion Rate (%)		63.0

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(8)

Source for all other data: Enquête Démographique et de Santé en Côte d'Ivoire (EDSCI-III) Survey, 2011–2012.(9)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of cocoa, including burning [†] and clearing fields; cutting down trees [†] to expand cocoa plantations; spraying pesticides; [†] harvesting, drying, and fermenting cocoa beans; using sharp tools to break pods; and transporting heavy loads of cocoa pods and water (3-7, 10-12)
	Production of cereals, pineapple, bananas, and coffee, including applying chemical fertilizers, [†] spraying pesticides, [†] cutting down trees, [†] and burning [†] and clearing fields (3, 4, 13, 14)
	Production of palm oil, honey, [†] and rubber (4, 6, 15)

Table 2. Overview of Children's Work by Sector and Activity (cont)

Sector/Industry	Activity
Agriculture	Fishing, including deep sea diving;† repairing and hauling nets; cleaning, salting, drying, descaling, and selling fish (6, 14-16)
	Livestock raising and slaughtering† (15, 16)
	Production of charcoal† (3, 6, 15)
Industry	Mining, including crushing† and transporting stones,† blasting rocks,† working underground,† mining for diamonds, and extracting gold with chemicals† (6, 10, 13-15, 17-20)
	Manufacturing, including repairing,† lubricating,† or cleaning machinery while in operation† (14, 15)
	Construction, activities unknown (14)
Services	Domestic work† (10, 13, 14, 21, 22)
	Working in transportation, carrying goods,† and washing cars (3, 6, 10, 13, 14)
	Street vending and commerce (3, 10, 13, 14)
Categorical Worst Forms of Child Labor‡	Forced labor in mining, carpentry, construction, domestic work, street vending, restaurants, and agriculture, including in the production of cocoa, coffee, pineapple, cotton, and rubber, each sometimes as a result of human trafficking (2-4, 11, 16, 22-25)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2, 22, 26)
	Use in illicit activities, including drug trafficking (10)
	Forced begging by Koranic teachers, sometimes as a result of human trafficking (18, 26, 27)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Children are subjected to human trafficking within Côte d'Ivoire and are taken from Côte d'Ivoire for exploitation in other countries. Increasingly, girls from Côte d'Ivoire are subjected to human trafficking in the Middle East for forced labor in domestic work or brought from Nigeria to Côte d'Ivoire for commercial sexual exploitation.(2, 26, 28) Children from neighboring West African countries are brought to Côte d'Ivoire primarily for forced labor in agriculture, especially in cocoa production, and for forced begging and work in mining, construction, domestic work, street vending, and commercial sexual exploitation.(2, 3, 5, 12, 21, 26) A study by the ILO and the Government of Côte d'Ivoire in 2011 estimated that 55 percent of children subject to forced labor in rural areas work in agriculture.(3)

Although the Law on Education provides for free education, students are often required to pay for textbooks, school fees, or uniforms, which may be prohibitive to some families.(16, 29-34) An estimated 2 million children ages 6 to 15 are not enrolled in school in Côte d'Ivoire, with the highest rates of non-enrollment found in the North, Northwest, and West regions.(34) The Government constructed 19,249 new classrooms between 2011 and 2016, but a lack of teachers, transportation, sanitation facilities, and schools, particularly in rural areas, remains. Research also suggests that some students are physically and sexually abused at school, which may deter some students from attending school.(10, 16, 20, 30, 34-43)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Côte d'Ivoire has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Côte d'Ivoire's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Article 23.2 of the Labor Code; Article 16 of the Constitution (44, 45)
Minimum Age for Hazardous Work	Yes	18	Article 2 of the Hazardous Work List (46)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 3–12 of the Hazardous Work List; Articles 6 and 19 of the Prohibition of Trafficking and the Worst Forms of Child Labor Law (9, 46)
Prohibition of Forced Labor	Yes		Article 5 of the Constitution; Articles 7, 11–14, 20–23, and 26 of the Prohibition of Trafficking and the Worst Forms of Child Labor Law; Article 3 of the Labor Code (9, 44, 45)
Prohibition of Child Trafficking	Yes		Article 5 of the Constitution; Articles 11, 12, 20–22, and 26 of the Prohibition of Trafficking and the Worst Forms of Child Labor Law; Article 370 of the Penal Code; Articles 4.4 and 6 of the Anti-Trafficking Law (9, 45, 47, 48)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 8, 9, 15, and 24–29 of the Prohibition of Trafficking and the Worst Forms of Child Labor Law; Articles 4.4 and 6 of the Anti-Trafficking Law (9, 48)
Prohibition of Using Children in Illicit Activities	Yes		Articles 4 and 30 of the Prohibition of Trafficking and the Worst Forms of Child Labor Law (9)
Minimum Age for Military Recruitment			
State Compulsory	Yes*	18	Article 82 of the Armed Forces Code (49)
State Voluntary	Yes	18	Articles 2, 8, and 116 of the Armed Forces Code; Articles 7, 8, and 18 of the Law Determining the Conditions for Entering the Military (49, 50)
Non-state Compulsory	Yes	18	Articles 4 and 31 of the Prohibition of Trafficking and the Worst Forms of Child Labor Law (9)
Compulsory Education Age	Yes	16	Article 10 of the Constitution; Article 2.1 of the Law on Education (45, 51)
Free Public Education	Yes		Article 2 of the Law on Education (51, 52)

* No conscription (50, 53, 54)

In December 2016, the Government adopted the Anti-Trafficking Law that supplements the 2010 Prohibition of Trafficking and the Worst Forms of Child Labor Law. The new law includes tougher penalties and formalizes victim protection and assistance measures.(28, 48) The Government also adopted a Constitution by referendum, which explicitly prohibits child labor and enshrines the right to education for both boys and girls.(45, 55) A draft law providing greater protection to domestic workers is also under consideration. This law would allow labor inspectors to inspect private homes for labor violations.(56)

The existing hazardous work list is not comprehensive, as it does not prohibit children from using dangerous equipment or tools in the cocoa sector. However, an updated hazardous work list drafted in 2016 is currently under consideration and prohibits the use of machetes and other sharp tools. A new bylaw that determines the activities, number of hours and conditions under which light work may be permitted is also under consideration.(57-59)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment and Social Protection (MEPS)	Enforce labor laws.(10) Implement the child labor monitoring system, <i>Système d'Observation et de Suivi du Travail des Enfants en Côte d'Ivoire</i> (SOSTECL), which enables communities to collect and analyze statistical data on the worst forms of child labor.(1, 14, 60, 61) Through its Direction of the Fight Against Child Labor, develop, monitor, and enforce laws related to child labor and collaborate with the Anti-Trafficking Unit (ATU) on cases of child trafficking.(21, 26, 30) In 2016, changed its name from the Ministry of Employment, Social Affairs, and Professional Training (MESAPT).(10)
Ministry of Interior and Security	Through its ATU, leads efforts to enforce criminal laws against the worst forms of child labor.(2, 10, 62, 63) Through its <i>Mondaine</i> Brigades, combat commercial sexual exploitation, including exploitation of children.(28)
Ministry of Justice	Investigate and prosecute crimes related to child labor, including its worst forms.(10)
Ministry of Women, Child Protection, and Solidarity (MWCPS)	Lead the Government's efforts to combat human trafficking and implement a National Policy on Child Protection.(26, 28, 53, 64, 65) Maintain a hotline for child labor issues, and respond to complaints.(26, 28, 31, 53, 64, 66)
National Commission of Human Rights (CNDHCI)	Maintain a hotline for reporting human rights abuses. From June to December 2016, received 264 calls, resulting in the identification of at least 1 case of child trafficking.(67)

Coordination among Government ministries on criminal law enforcement is inefficient, causing delays in delivering assistance to victims of human trafficking.(2, 26)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Côte d'Ivoire took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$273,385 (53)	\$300,842 (10)
Number of Labor Inspectors	259 (64)	259 (10)
Inspectorate Authorized to Assess Penalties	No (44)	No (44)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (66)	N/A (63, 66)
Training on New Laws Related to Child Labor	Yes (53)	No (10)
Refresher Courses Provided	Yes (64)	Yes (63)
Number of Labor Inspections	596 (64)	739‡ (10)
Number Conducted at Worksite	596 (64)	739‡ (10)
Number Conducted by Desk Reviews	0 (64)	0‡ (10)
Number of Child Labor Violations Found	0 (64)	0‡ (10)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (64)	N/A (10)
Number of Penalties Imposed That Were Collected	N/A (64)	N/A (10)
Routine Inspections Conducted	Yes (53)	Unknown (10)
Routine Inspections Targeted	Unknown (53, 64)	Unknown (10)
Unannounced Inspections Permitted	Yes (44)	Yes (10)
Unannounced Inspections Conducted	Yes (64)	Yes (10)
Complaint Mechanism Exists	Yes (64, 68)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (69)	Yes (10)

‡ Data are from January 1, 2016 to September 30, 2016.

New modules on child labor were integrated into the National School of Administration's curriculum following the adoption of the 2015 Labor Code. These modules were used to train 46 candidates who are expected to graduate in 2017 and begin work as labor inspectors in 2018; 36 are expected to graduate at the end of the 2016–2017 school year.(43, 63, 67) However, the number of labor inspectors will still be insufficient for the size of the Côte d'Ivoire's workforce, which includes over 8 million workers.(70) According to the ILO recommendation of 1 inspector for every 15,000 workers in developing economies, Côte d'Ivoire should employ about 541 inspectors.(70-72)

Although the labor inspectorate received a 10 percent increase from its 2015 budget, a lack of resources, including insufficient staff, office facilities, and transportation, hampers the labor inspectorate's capacity to enforce child labor laws.(10, 13, 16, 30, 64, 73, 74) Research found that as a result of a lack of authority to assess penalties for labor violations, some labor inspectors fail to document identified child labor violations due to the perceived futility of doing so, given the limited capacity of law enforcement to investigate reported violations and the frequency of inspection findings not being reported to the courts.(16, 30, 69, 75) Although most inspections focus on formal sector establishments, in 2015 the government implemented a pilot project to conduct more labor inspections in the informal sector, where the majority of child labor is found.(10, 74) The Government is evaluating how this pilot project can be scaled up.(10)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Côte d'Ivoire took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (64, 68)	Yes (64)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (64)	Yes (10)
Refresher Courses Provided	Yes (76)	Yes (10)
Number of Investigations	27 (68, 77)	20 (28)
Number of Violations Found	59 (53, 64)	64 (78)
Number of Prosecutions Initiated	Unknown (68)	18 (28)
Number of Convictions	Unknown (64)	8 (28)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (64, 77)	Yes (10)

In 2016, the National Police's Anti-Trafficking Unit (ATU) received a budget of \$4,592, a decrease of approximately 30 percent from its 2015 budget.(10, 67) The ATU employed 13 Abidjan-based investigators to enforce laws related to the worst forms of child labor. The ATU has acknowledged that it lacks adequate staff and relies on regional police forces to enforce criminal child labor laws throughout the country.(2, 28, 64, 77) In addition, research indicates that laws on the worst forms of child labor may not be well understood by criminal law enforcement officials, impeding their ability to carry out effective enforcement.(12, 13, 28, 79) To improve knowledge of children's rights, including child labor, the Government provided training to 144 law enforcement officials during the reporting period.(10)

Insufficient monitoring of movement along the borders makes it difficult to detect cases of human trafficking. The Ministry of Interior and Security is reviewing a proposal by IOM to double the number of official border crossings and implement improved surveillance.(77) However, between May 2015 and November 2016, the Ministry of Interior and Security's *Mondaine* Brigade conducted several operations to rescue 116 Nigerian women and girls trafficked to Côte d'Ivoire for commercial sexual exploitation. Law enforcement officials arrested 36 Nigerian traffickers as a result of these operations, and 5 were sentenced to 20 years of imprisonment.(26)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Monitoring Committee on Actions to Combat Trafficking, Exploitation, and Child Labor (CNS)	Supervise, monitor, and evaluate all government activities related to child labor and child trafficking, including making policy recommendations and harmonizing laws with international conventions.(80, 81) Chaired by the First Lady of Côte d'Ivoire and comprises 14 international and domestic partners.(21, 62, 80, 82) In 2016, with the assistance of UNICEF, published a report on the expansion of SOSTECI that included prevalence data from three departments on child labor.(28)

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor (cont)

Coordinating Body	Role & Description
Interministerial Committee on the Fight Against Trafficking, Exploitation, and Child Labor (CIM)	Design, coordinate, and implement all government actions to combat the worst forms of child labor, and monitor relevant programs implemented by partner organizations.(80, 82, 83) Chaired by MEPS, includes representatives from 13 other ministries.(21, 80, 82, 83) In 2016, in collaboration with CNS, hosted a meeting between the First Ladies of Ghana and Côte d'Ivoire that resulted in a joint declaration and cooperative agreement against cross-border trafficking.(84, 85)
National Committee for the Fight Against Trafficking and Child Exploitation (CNLTdP)	Dedicated to combatting child trafficking and chaired by MWCPS.(56, 63, 69) In 2016, received an operating budget of \$10,210.(10) Research was unable to determine whether the committee was active in 2016.(43)

Although the National Monitoring Committee on Actions to Combat Trafficking, Exploitation, and Child Labor (CNS) and Interministerial Committee on the Fight Against Trafficking, Exploitation, and Child Labor (CIM) coordinate strategic-level efforts, operational progress is hindered by a lack of coordination among the various ministries, which some NGOs and companies have also noted. The lack of coordination among ministries can also result in disjointed or duplicated efforts.(1, 13, 28, 56) The new Anti-Trafficking Law provides for the creation of a National Committee to Combat Trafficking in Persons, expected to be created in 2017.(10, 28)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor†

Policy	Description
<u>2010 Declaration of Joint Action to Support the Implementation of the Harkin-Engel Protocol</u> (2010 Declaration) and Its Accompanying Framework of Action	Joint declaration by the Governments of Ghana, Côte d'Ivoire, and the United States, and the International Cocoa and Chocolate Industry.(60, 86, 87) Provides resources and coordinates with key stakeholders on efforts to reduce the worst forms of child labor in cocoa-producing areas.(86, 87) Ensures that all project efforts implemented under the Declaration and Framework align with Côte d'Ivoire's national action plans to promote coherence and sustainability.(60, 86, 87) <u>USDOL-funded projects</u> and some industry-funded projects carried out activities in support of this policy during the reporting period.(88)
Partnership Agreement‡	Forms an agreement between the International Cocoa Initiative and CNS in support of the National Action Plan for the Fight Against the Worst Forms of Child Labor. Aims to reinforce and expand SOSTECL and improve school infrastructure.(85, 89)
Joint Declarations Against Cross-Border Trafficking†	In 2016, promulgated a bilateral declaration and cooperative agreement that Côte d'Ivoire signed with Ghana to combat the worst forms of child labor by targeting high-risk child labor sectors, providing protection to victims, improving coordination, and prosecuting offenders.(90-92) Also enacted a bilateral agreement to combat trafficking with Burkina Faso in 2016.(26)
National Development Plan (2016–2020)†	Aims to improve governance and accelerate human capital development, including by combatting child labor. Allocates almost \$6.1 million over 5 years to conduct diagnostic studies on child labor and child trafficking; creates a unit to combat the worst forms of child labor in regional labor inspectorate offices; expands SOSTECL into 10 new departments; constructs 3 transit centers; and develops a national action plan to combat human trafficking, particularly of girls.(93)
Compulsory Education Policy	In support of the Law on Education, aims to achieve 100 percent enrollment in primary school by 2020 and 100 percent enrollment in junior high by 2025.(32, 94) Allocates \$1.34 billion to modernize the education system, including by building new classrooms, providing free textbooks to low-income families, and providing additional pedagogical training to teachers.(32) In 2016, reopened applications for Pedagogical Training Centers to provide training for 5,000 teachers for the 2017–2018 academic year.(95, 96)
National Policy on Child Protection (PNPE) (2012–2022)	Led by the MSFWC, seeks to reduce the incidence of violence, abuse, and exploitation of children.(97) Regional coordination mechanisms, led by prefects, oversee implementation and bring together relevant actors to identify specific problems in the region.(53, 68)

† Policy was approved during the reporting period.

‡ The Government had other policies that may have addressed child labor issues or had an impact on child labor.(33, 34, 67, 69)

The Government has not included child labor elimination and prevention strategies in the World Bank's Country Partnership Framework.(98) A draft of the Decent Work Country Program (2016–2020) is awaiting validation and will include child labor concerns.(67, 99)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
National Action Plan for the Fight Against the Worst Forms of Child Labor (NAP) (2015–2017) [†]	Coordinated by the CNS and the CIM, \$25.8 million project aims to significantly reduce the number of children engaged in the worst forms of child labor by improving the legal framework, sensitizing high-risk communities to the dangers of exploitative child labor, improving victim services, building the capacity of law enforcement, and improving educational infrastructure.(14, 82) The Government provided \$15 million in funding.(78) In 2016, began construction on three shelters.(28)
National Action Plan and Strategy Against Human Trafficking (2016–2020) [†]	With the support of UNODC and coordinated by CNLTdP, \$14.8 million project drafted to prevent human trafficking, expand social services for victims by improving physical infrastructure, provide training for law enforcement personnel and other stakeholders, promote coordination, and collect data on human trafficking.(64, 77) The Government committed to provide \$3.2 million over 5 years to implement the plan.(2) In 2016, MWCPS, with support from UNODC and the Embassy of Japan, began a mapping project to identify all existing shelters and transit centers for victims of child trafficking.(28)
National Awareness Campaign Against Child Labor (2015–2017) [†]	CNS-led national awareness campaign against child labor, disseminates information to increase public awareness through television and radio broadcasts, billboards, and newspapers in French and local languages. Calls on national actors to take a greater role in media campaigns to raise awareness about child labor.(69, 77)
USDOL-Funded Projects in Support of the 2010 Declaration	USDOL projects in cocoa-growing areas of Ghana and Côte d'Ivoire that aim to eliminate child labor, including its worst forms, through research, improved monitoring and enforcement, and implementation and expansion of SOSTECI. These project include: Survey Research on Child Labor in West African Cocoa Growing Areas (2012–2016) , \$1.5 million project implemented by the Payson Center for International Development at Tulane University; Country Level Engagement and Assistance to Reduce Child Labor (CLEAR) (2013–2017) , \$7.95 million project implemented in at least 10 countries by the ILO; Assessing Progress in Reducing Child Labor in Cocoa-Growing Areas of Côte d'Ivoire and Ghana (2015–2019) , \$3 million project implemented by NORC at the University of Chicago; and Eliminating Child Labor in Cocoa (2015–2019) , \$4.5 million project implemented by the International Cocoa Initiative.(100-103) Additional information is available on the USDOL Web site .
Industry-Funded Projects	Industry-funded projects to increase sustainability in the cocoa sector, improve farmer livelihoods and access to education, and combat the worst forms of child labor in cocoa-growing areas. Some projects may be in support of World Cocoa Foundation (WCF)'s CocoaAction (2014–2020) strategy and the 2010 Declaration .(88, 104)
Centers for Vulnerable Children [†]	Operates approximately 110 MWCPS- and MEPS-funded social centers and mobile schools throughout the country that receive women and children who are victims of crime or violence, including children who are victims of the worst forms of child labor. International NGOs also operate additional centers that provide meals and basic education.(77, 105) In 2016, First Lady Dominique Ouattara and CNS initiated construction on three reception centers in Bouaké, Ferkessédougou, and Soubré in support of the NAP and the National Development Plan to house victims of child trafficking.(85, 93, 106)
School Feeding Programs [†]	These programs aim to raise school attendance rates in rural areas, particularly among girls, by providing school meals. Includes the Integrated Program for Sustainable School Feeding , a \$42.5 million WFP-funded program; the Ministry of National Education School Feeding Program; and the McGovern-Dole School Feeding Program , a \$31 million joint initiative between WFP and the U.S. Department of Agriculture, in coordination with the Ministry of National Education.(64, 107, 108)
Emergency Support Project for Basic Education (2012–2017)	\$41.4 million World Bank-funded project to improve access to basic education by constructing and rehabilitating classrooms and school latrines.(109) By the end of 2016, built 1,000 new primary school classrooms, rehabilitated 267 classrooms, rehabilitated 8 teacher training centers, and trained 15,253 teachers.(110)
Community Animation Program for Child Protection (2015–2020) [†]	\$228,168 MWCPS program as part of the National Policy on Child Protection, implemented with technical assistance from UNICEF, provides a service package for behavior change and improving communication at the community level that can be tailored to meet local needs.(10, 67, 111) Between 2015 and 2016, piloted the approach in 351 communities with plans to expand to 1,500 communities by 2020.(67)
National Solidarity Fund* [†]	\$2.5 million fund that provides assistance to poor households. In 2016, revised to include victims of human trafficking as project participants.(28, 112)

* Program was launched during the reporting period.

[†] Program is funded by the Government of Côte d'Ivoire.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(10, 61, 68, 113, 114)

Although the Government maintains programs and coordinates with stakeholders to help children working on cocoa farms, the scope of existing programs is insufficient to fully address the extent of the problem.(7, 64) SOSTECI has been implemented in several cocoa-growing communities, but it has not been expanded throughout the country because it requires a significant amount of resources for full implementation.(64, 77, 115) In addition, the Government primarily relies on NGOs to provide social services to victims of child trafficking. Research indicates that there is poor coordination among service providers, the distribution of services throughout the country is uneven, and existing programs do not adequately address all sectors where child labor is present.(2, 26, 28, 77)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Côte d'Ivoire (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the hazardous occupations and activities prohibited for children are comprehensive.	2016
Enforcement	Improve coordination among ministries related to exploitative child labor and ensure that victims receive appropriate services.	2016
	Ensure that labor inspectorates and criminal law enforcement agencies receive an adequate amount of funding to conduct inspections and investigations throughout the country, and that penalties are enforced according to the law.	2014 – 2016
	Strengthen the labor inspectorate by authorizing the inspectorate to assess penalties.	2014 – 2016
	Ensure that inspectors and investigators receive training on new laws related to child labor.	2016
	Publish information about whether routine inspections are conducted and whether they target high-risk sectors.	2016
	Increase the number of labor inspectors responsible for enforcing laws related to child labor in accordance with the ILO recommendation.	2009 – 2016
	Improve monitoring of activity along the borders to enable the Government to identify and prevent transnational human trafficking activity.	2015 – 2016
Coordination	Improve coordination among ministries included in CNS and CIM.	2012 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2013 – 2016
Social Programs	Improve access to education by eliminating all school-related fees, providing all children with birth certificates, improving the accessibility of schools, ensuring that schools are free of physical and sexual abuse, and increasing the number of teachers, sanitation facilities, and schools, particularly in rural areas.	2011 – 2016
	Replicate and expand models such as SOSTECI that address exploitative child labor to effectively implement government policies to combat the worst forms of child labor.	2009 – 2016
	Ensure that victims of the worst forms of child labor are able to access social services throughout the country.	2015 – 2016

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- rent primary education completion. The calculation includes all new entrants to the last grade (regardless of age). Therefore, the ratio can exceed 100 percent, due to over-aged and under-aged children who enter primary school late/early and/or repeat grades. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
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Djibouti

MINIMAL ADVANCEMENT

In 2016, Djibouti made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government passed the Law on the Fight Against Trafficking in Persons and Illicit Smuggling of Migrants, which criminally prohibits domestic and international trafficking and addresses all acts in the trafficking process. However, children in Djibouti perform dangerous tasks in street work. Children also engage in the worst forms of child labor, including in commercial sexual exploitation. In addition, the law neither establishes a minimum age for hazardous work nor fully protects children from all forms of commercial sexual exploitation. Law enforcement efforts were inadequate to prevent and combat child labor, including its worst forms.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Djibouti perform dangerous tasks in street work. Children also engage in the worst forms of child labor, including in commercial sexual exploitation.(1-3) Table 1 provides key indicators on children’s work and education in Djibouti.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	12.3 (23,693)
Attending School (%)	5 to 14	67.4
Combining Work and School (%)	7 to 14	10.2
Primary Completion Rate (%)		64.3

Source for primary completion rate: Data from 2016, published by the UNESCO Institute for Statistics, 2016.(4)

Source for all other data: Understanding Children’s Work Project’s Analysis of Statistics from Multiple Indicator Cluster Survey 3, 2006.(5)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Caring for livestock (1, 6)
	Farming, activities unknown(6)
Services	Domestic work† (1, 6, 7)
	Street work, including shining shoes, washing and guarding cars, cleaning storefronts, sorting merchandise, collecting garbage, begging, and selling items, including khat (1, 2, 6, 7)
	Working in restaurants, small shops, and family businesses (1, 6, 7)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 6, 8-10)
	Forced domestic work and begging, sometimes as a result of human trafficking (1, 3, 6)
	Use in illicit activities (3, 6, 10)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.







Limited evidence suggests children, including undocumented migrant girls, are vulnerable to commercial sexual exploitation in Djibouti City and the Ethiopia-Djibouti trucking corridor.(6, 9) Girls from poor Djiboutian families may engage in commercial sexual exploitation as a means of income.(1)

While primary and middle school are tuition-free, other school-related expenses or family pressures may prevent children from attending school.(6, 11) Enrollment rates are lower for girls, children living in rural areas, and children living in poverty.(6, 12)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Djibouti has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Djibouti's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	16	Article 5 of the Labor Code (13)
Minimum Age for Hazardous Work	Yes	18	Articles 108 and 110 of the Labor Code (13)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 110 of the Labor Code (13)
Prohibition of Forced Labor	Yes		Articles 2 and 290 of the Labor Code; Article 23 of the Law Regarding Terrorism and Other Serious Crimes (13, 14)
Prohibition of Child Trafficking	Yes		Article 1 of the Law on the Fight Against the Trafficking of Persons and the Illegal Smuggling of Migrants; Article 23 of the Law Regarding Terrorism and Other Serious Crimes; Articles 10 and 15 of the Penal Code (14-16)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 462 and 463 of the Penal Code; Article 1 and Article 8 of the Law on the Fight Against the Trafficking of Persons and the Illegal Smuggling of Migrants (15, 16)
Prohibition of Using Children in Illicit Activities	Yes		Article 355, 356, and 461 of the Penal Code (16)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 1 of the National Army Amendment Decree (17)
Non-state Compulsory	Yes	18	Articles 149–151 and 461 of the Penal Code (16)
Compulsory Education Age	Yes	16	Article 4 of the Law on the Orientation of the Education System (18)
Free Public Education	Yes		Article 16 of the Law on the Orientation of the Education System (18)

* No conscription (19, 20)

During the reporting period, the Government passed new legislation that strengthens the legal framework on human trafficking. The law prohibits all forms of human trafficking and prescribes sufficiently stringent penalties.(10, 15)

Sources indicate that the Labor Code's minimum age provisions are not applied effectively to children working outside formal employment relationships.(13, 21-23) In addition, although the Labor Code prohibits the employment of children

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between the ages 16 and 18 in domestic work, hotels, and bars, the types of hazardous work prohibited for children do not include street work, an area of work in which there is evidence of work in an unhealthy environment.(13, 21, 23)

The law does not specifically criminally prohibit the offering of a child for prostitution, the production of pornography, or pornographic performances, or the use of a child for prostitution.(15, 16)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MOL)	Enforce all labor laws, including child labor laws and regulations.(2) Through its Inspectorate of Labor and Social Laws, regulate youth employment.(24)
National Police, including the Vice Squad	Enforce criminal laws and investigate crimes related to the worst forms of child labor.(25)
Ministry of Justice	Prosecute child labor cases after they have been referred by MOL.(2)
National Commission on Human Rights	Receive complaints and investigate cases of human rights violations, including the worst forms of child labor.(26, 27) Assist victims in obtaining legal aid to prosecute violators.(26)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Djibouti took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	\$5,649.71 (28)
Number of Labor Inspectors	13 (29)	13 (28)
Inspectorate Authorized to Assess Penalties	Yes (2)	No (10)
Training for Labor Inspectors		
Initial Training for New Employees	No (29)	Yes (28)
Training on New Laws Related to Child Labor	N/A	Yes (11)
Refresher Courses Provided	No (29)	No (10)
Number of Labor Inspections	30 (29)	30 (10)
Number Conducted at Worksite	30 (29)	30 (10)
Number Conducted by Desk Reviews	0 (29)	0 (10)
Number of Child Labor Violations Found	0 (2)	0 (10)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	N/A
Number of Penalties Imposed That Were Collected	N/A	N/A
Routine Inspections Conducted	No (2)	Yes (10)
Routine Inspections Targeted	N/A	Yes (10)
Unannounced Inspections Permitted	Yes (29)	Yes (10)
Unannounced Inspections Conducted	No (29)	Unknown (10)
Complaint Mechanism Exists	No (2)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (2)	No (10)

According to the Government, the labor inspectorate has insufficient funding and training to adequately enforce child labor laws.(2, 6) In 2016, the Government held trainings on the new Law on the Fight Against Trafficking in Persons and Illicit Smuggling of Migrants.(11)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Djibouti did not take actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Yes (28)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Yes (28)
Refresher Courses Provided	Yes (30)	Yes (28)
Number of Investigations	0 (2)	Unknown (10)
Number of Violations Found	N/A	Unknown (10)
Number of Prosecutions Initiated	0 (2)	Unknown (10)
Number of Convictions	0 (2)	Unknown (10)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (2)	No (10)

The Government continued to detain street children, including potential child trafficking victims, following sweeps to clear the streets ahead of holidays and national events. Immigration officials worked with IOM to assist in returning unaccompanied minors to their countries of origin, including the provision of space for a second Migration Response Center in Loyada.(3, 11, 20) In late December 2016, the Government passed a law that allows unaccompanied minors to apply as asylum seekers.(11, 31)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established an Anti-Trafficking Working Group, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Anti-Trafficking Working Group	Coordinate efforts to combat human trafficking. Led by the Ministry of Justice and includes the Ministry of Labor.(3, 28)
National Council for Children (CNE)	Promote children's rights. Led by the Prime Minister and includes eight other agencies, representatives from NGOs, the private sector, and elected officials.(32)

Research found no evidence of coordination mechanisms to combat the worst forms of child labor.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan on Trafficking in Persons (2014–2020)	Aims to strengthen the legislative framework to combat human trafficking, protect and assist human trafficking victims, and establish a national referral mechanism between law enforcement officials and social service providers.(33) In 2016, with the support of UNODC, approved training of trainer modules to assist law enforcement officials in the identification of trafficking in persons cases.(20, 28)
UNDAF (2013–2017)	Provides access to basic social services to protect children against all forms of violence and exploitation. Includes plans for boys and girls in both rural and urban areas to have equal and quality access to basic education.(34) In 2016, research did not determine whether any activities were undertaken.(28)

The Government has not included child labor elimination and prevention strategies into the National Strategy and the Education Sector Strategic Plan.(1, 35) Research was unable to determine whether activities were undertaken to implement UNDAF during the reporting period.(28)

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VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that may contribute to the prevention or elimination of child labor (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description and Objectives
USDOS-Funded Strengthening the National Criminal Justice System's Response to Trafficking in Persons in Djibouti	\$500,000 USDOS-funded program, implemented by UNODC in partnership with the Government, that establishes a national referral mechanism for victims of human trafficking and a mechanism for data collection, raises awareness of human trafficking, and conducts law enforcement trainings.(20, 30)
National Family Solidarity Program [‡]	Government-funded program implemented by the State Secretariat for National Solidarity that establishes cash transfers to support Djiboutian households in extreme poverty.(36) In 2016, the program continued to provide cash transfers to families.(11)
UNICEF-Funded Projects	Humanitarian Action for Children Project and UNICEF Country Program (2013–2017) that promotes access to quality education for children, especially from rural and poor urban areas, increases birth registration, and provides support for orphans and vulnerable children.(35, 37, 38) In 2016, IOM and UNICEF hosted a workshop with Government officials, including law enforcement officials, who work on unaccompanied minor issues to validate a referral mechanism to address the issue of unaccompanied migrant children, particularly those trafficked.(11)
World Bank-Funded Programs	<u>Enhancing Income Opportunities Program</u> (2015-2019), in partnership with the Government, aims to provide at least 2,200 youth with basic life skills training, coaching in business plan development, and access to finance. <u>Access to Quality Education Project</u> , a Global Partnership for Education-funded program, in collaboration with the World Bank and Government, seeks to improve the learning environment in the first three years of primary education and to construct classrooms, rehabilitate and extend schools in rural areas, train teachers, procure student learning materials, and distribute hearing aids and glasses to students who need them.(12, 39, 40) In 2016, project activities began.(11)
World Food Programme-Funded Projects in Support of Food Security	Alleviates food insecurity and builds resiliency. <u>Support for the National School Feeding Programme</u> provides daily meals at schools for 17,900 children. <u>Enhancing the Resilience of Chronically Vulnerable Rural, Urban and Refugee Populations and Reducing Undernutrition in Djibouti</u> increases resilience of rural food-insecure populations to shocks.(41-43) In 2016, projects continued activities.(11)

[†] Program is funded by the Government of Djibouti.

[‡] The Government had other programs that may have addressed child labor issues or had an impact on child labor.(1, 10, 20, 25, 30)

Although the Government of Djibouti has implemented programs that target migrant children, research found no evidence of programs to assist children involved in domestic work and commercial sexual exploitation.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Djibouti (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that hazardous occupations and activities prohibited for children are comprehensive.	2009 – 2016
	Ensure that all children are protected by law, including children working outside formal employment relationships.	2015 – 2016
	Ensure that laws criminally prohibit the use and offer of a child for prostitution, production of pornography, and pornographic performances.	2012 – 2016
Enforcement	Publish data on number of criminal investigations, violations found, prosecutions initiated, and convictions related to the worst forms of child labor.	2010 – 2016
	Strengthen the labor inspectorate by allowing the assessment of penalties, providing refresher courses, and providing information on the number of unannounced labor inspections conducted.	2015 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Provide additional resources to the labor inspectorate and criminal law enforcement agencies so that more inspectors and officers can be hired and receive adequate training.	2011 – 2016
	Cease the detention of street children and establish referral mechanisms between labor and criminal law enforcement agencies and social service providers so that exploited children, particularly victims of child trafficking, receive appropriate care and reintegration services.	2014 – 2016
Coordination	Establish coordinating mechanisms to combat child labor, including in all its worst forms.	2009 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2014 – 2016
	Undertake activities to implement UNDAF.	2016
Social Programs	Conduct research to determine the activities carried out by children working in agriculture to inform policies and programs.	2013 – 2016
	Enhance efforts to eliminate barriers and make education accessible for all children, including girls, by removing other school-related expenses.	2015 – 2016
	Implement programs to specifically address children involved in domestic work and commercial sexual exploitation.	2009 – 2016

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In 2016, Dominica made a minimal advancement in efforts to prevent the worst forms of child labor. The Government continued efforts to develop a list of hazardous occupations for children and harmonize legislation on the legal age for employment. Although research is limited, there is evidence that children are engaged in the worst forms of child labor in commercial sexual exploitation in Dominica. The Government's ability to prevent children from becoming engaged in exploitative work is limited due to exceptions to the minimum age for hazardous work. The country also lacks prohibitions against the use of children in prostitution, pornography, or pornographic performances or the use of children in illicit activities, including producing and trafficking of drugs.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Limited evidence suggests girls under age 16 engage in the worst forms of child labor in commercial sexual exploitation in Dominica, with remuneration including rides, clothing, or cell phones. However, no current research on the child labor situation in Dominica is available.(1, 2) Table 1 provides key indicators on children's work and education in Dominica. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		111.1




Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(3)

Source for all other data: Data were unavailable from Understanding Children's Work Project's analysis, 2016.(4)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Dominica has ratified all key international conventions concerning child labor (Table 2).

Table 2. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 3). However, gaps exist in Dominica's legal framework to adequately protect children from child labor.

Table 3. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	16	Articles 2 and 46 of the Education Act 1997 (5)
Minimum Age for Hazardous Work	No	18	Articles 2, 4, 5, and 7 of the Employment of Women, Young Persons, and Children Act (6)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 2, 4, 5, and 7 of the Employment of Women, Young Persons, and Children Act (6)
Prohibition of Forced Labor	Yes		Article 4 of the Constitution; Sections 2, 8, 10, and 13 of the Transnational Organized Crime (Prevention and Control) Act (7, 8)
Prohibition of Child Trafficking	Yes		Sections 2, 8, 10, and 13 of the Transnational Organized Crime (Prevention and Control) Act (8)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 2, 10, and 13 of the Transnational Organized Crime (Prevention and Control) Act; Article 18 of the Sexual Offenses Act (8, 9)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment			
State Compulsory	N/A†		
State Voluntary	N/A†		
Non-state Compulsory	No		
Compulsory Education Age	Yes	16	Article 2 of the Education Act 1997 (5)
Free Public Education	Yes		Article 15 of the Education Act 1997 (5)

† No standing military (10)

Article 46 of the Education Act prohibits the employment of children ages 5 to 16 during the school year, but allows students ages 14 and older to work during school vacations or in school-sponsored employment training programs without defining the conditions, specific activities, or number of hours permissible for light work.(5) In addition, the Apprentices Act permits children as young as age 10 to serve as apprentices, and includes conditions in which such children may be compelled to serve as apprentices.(11)

Article 7 of the Employment of Women, Young Persons, and Children Act prohibits children under age 18 from working at night, unless they are working with members of their family, but includes exceptions for children over age 16 to perform night work in certain industries or in case of emergencies without including provisions to ensure that they receive proper training or that their health, safety, and morals will be protected.(6) During the reporting period, the Government continued efforts to develop a list of hazardous occupations for children and harmonize legislation on the legal age for employment.(1) The Government has yet to enact laws or regulations explicitly prohibiting the use of children in prostitution, pornography, pornographic performances, or illicit activities, including the production and trafficking of drugs.(12)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 4). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 4. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of National Security, Labor, and Immigration (MNSLI)	Conduct inspections and enforce laws related to child labor. Authorized to conduct unannounced inspections at any location with employees and take legal action against employers violating child labor laws.(13-15) Report children found in exploitative labor situations to police and social services.(13-15)

Table 4. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Ministry of Health (MOH)	Conduct inspections and enforce laws related to child labor. Report children found in exploitative labor situations to police and social services.(13, 14)
Police Force	Enforce criminal laws, including those related to child labor.(14)
Social Welfare Division, Ministry of Social Services, Family, and Gender Affairs	Provide social services, including education, housing, counseling, and financial aid in child labor cases.(13, 15, 16)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Dominica took actions to combat child labor, including its worst forms (Table 5).

Table 5. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (15)	Unknown (1)
Number of Labor Inspectors	5 (15)	4 (1)
Inspectorate Authorized to Assess Penalties	No (1)	No (1)
Training for Labor Inspectors		
Initial Training for New Employees	No (17)	Unknown
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (17)	Unknown
Number of Labor Inspections	Unknown	480 (1)
Number Conducted at Worksite	Unknown	480 (1)
Number Conducted by Desk Reviews	Unknown	0 (1)
Number of Child Labor Violations Found	0 (15)	0 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	N/A
Number of Penalties Imposed That Were Collected	N/A	N/A
Routine Inspections Conducted	Yes (17)	Yes (1)
Routine Inspections Targeted	No (15)	No (1)
Unannounced Inspections Permitted	Yes (15)	Yes (1)
Unannounced Inspections Conducted	Yes (17)	Yes (1)
Complaint Mechanism Exists	Yes (15, 18)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (15)	Yes (1)

In addition to the 4 labor inspectors employed by the Ministry of National Security, Labor, and Immigration (MNSLI), the Ministry of Health (MOH) employs 17 health and safety inspectors and 12 fire inspectors who also inspect for labor violations.(15) Government officials report that while the number of labor inspectors is sufficient to inspect labor violations, too few technical officers are available to effectively enforce labor laws.(15)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Dominica did not take actions to combat the worst forms of child labor (Table 6).

Table 6. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	No (13, 15)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	No (15)	Unknown

Table 6. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor (cont)

Overview of Criminal Law Enforcement	2015	2016
Number of Investigations	0 (15)	0 (1)
Number of Violations Found	0 (15)	0 (1)
Number of Prosecutions Initiated	0 (15)	0 (1)
Number of Convictions	0 (15)	0 (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (15)	Yes (1)

The Police Force budget is insufficient and police lack transportation and equipment needed to effectively enforce criminal laws.(1)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Research found no evidence that the Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

Research found no evidence that the Government has established policies to address child labor, including its worst forms.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that may contribute to the prevention or elimination of child labor (Table 7).

Table 7. Key Social Programs to Address Child Labor

Program	Description
Basic Needs Trust Fund	Caribbean Development Bank-implemented program to reduce poverty through livelihood services, improved infrastructure, capacity-building projects, and technical services.(18, 19)
Education Trust Fund†	Ministry of Education (MOE) program that provides financial assistance for textbooks, transportation, and registration and exam fees to students in secondary school who would otherwise be unable to complete their education.(14, 20)
School Textbook Provision Scheme†	MOE program that subsidizes the cost of textbooks for primary and secondary school students.(14, 21)
School Feeding Program†	MOE program that provides lunch to primary school students in targeted areas.(14, 22)
CHANCES†	Ministry of Social Services, Family, and Gender Affairs program that supports an emergency residential shelter to provide short-term services to abused and neglected children. May accept victims of the worst forms of child labor.(13, 15, 17, 23)
Break the Silence Awareness Program†	Ministry of Social Services, Family, and Gender Affairs program that raises awareness and encourages reporting of child abuse cases.(15) Managed by the Child Abuse Prevention Unit in the Social Welfare Division.(23)

† Program is funded by the Government of Dominica.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor, including its worst forms, in Dominica (Table 8).

Table 8. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Define the conditions, activities, and number of hours permissible for light work.	2014 – 2016
	Ensure that the minimum age for night work is 18 for all children or that children receive adequate training and that the health, safety, and morals of children are protected.	2015 – 2016
	Enact legislation to expressly prohibit child prostitution and the using, procuring, or offering of a child for the production of pornography or pornographic performances.	2011 – 2016

Table 8. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Legal Framework	Prohibit the use of children in illicit activities, including the production and trafficking of drugs.	2014 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
Enforcement	Authorize the labor inspectorate to assess penalties.	2016
	Make information for the MNSLI and the MOH regarding the annual funding levels publicly available.	2014 – 2016
	Employ a sufficient number of technical officers to provide adequate labor law enforcement.	2015 – 2016
	Ensure that labor inspectors and criminal investigators receive training on the worst forms of child labor.	2015 – 2016
	Ensure the police have sufficient funding to enforce criminal laws.	2016
Coordination	Establish coordinating mechanisms to combat the worst forms of child labor in commercial sexual exploitation.	2016
Government Policies	Adopt policies to address the worst forms of child labor in commercial sexual exploitation.	2016
Social Programs	Conduct research to determine whether any other forms of child labor exist in Dominica.	2014 – 2016

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In 2016, the Dominican Republic made a minimal advancement in efforts to eliminate the worst forms of child labor. During the year, the Government of the Dominican Republic made efforts by implementing initiatives that aim to remove children and youth from exploitative street work through the Roadmap towards the Elimination of Child Labor, and providing vocational training programs and labor rights education to 40,000 at-risk youth through the social program Progressing with Solidarity (PROSOLI). In addition, the Ministry of Education released a directive that eliminates the eighth-grade national exam, a barrier for children without identity documents to continue their education to secondary school. However, the Dominican Republic is receiving this assessment because it continued to implement a practice that delayed advancement in eliminating the worst forms of child labor. While Dominican law and polices prohibit the exclusion of children from the educational system based on a lack of identity documents, there are reports that some children, particularly those of Haitian descent, were prevented by primary and secondary school officials from attending or completing public school in both urban and rural areas if they could not present birth certificates or other identifying documents, making them more vulnerable to the worst forms of child labor. Children in the Dominican Republic are engaged in the worst forms of child labor, including in agriculture and commercial sexual exploitation, sometimes as a result of human trafficking. Other gaps remain, including limited resources for the systematic enforcement of child labor laws. Social programs for victims of harmful agricultural work and commercial sexual exploitation also do not appear to address the scope of these problems.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Dominican Republic perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation.(1-4) Table 1 provides key indicators on children’s work and education in the Dominican Republic.

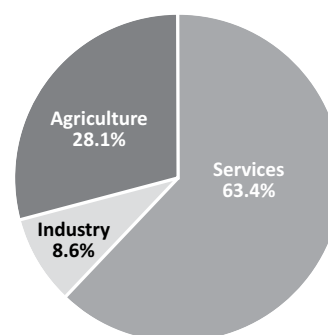
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	2.1 (21,968)
Attending School (%)	10 to 14	98.4
Combining Work and School (%)	10 to 14	2.0
Primary Completion Rate (%)		94.2

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(5)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Encuesta Nacional de Fuerza de Trabajo (ENFT) Survey, 2014.(6)

Figure 1. Working Children by Sector, Ages 10-14



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Harvesting sugarcane,† collecting cut cane,† planting sugarcane,† and clearing land for sugarcane production (4, 7-11)
	Producing coffee, rice, tomatoes, bananas, beans, corn, garlic, onions, and potatoes (11-19)
	Fishing† (18, 20)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Industry	Producing baked goods (21)
	Mining† for larimar (a blue stone often used for jewelry) (21)
	Construction,† activities unknown (3, 21, 22)
Services	Street work, including vending,† shining shoes, begging, washing car windows, and transporting packages in markets (1, 11, 18-20, 23, 24)
	Working in beauty salons, restaurants, bars,† cantinas,† and coffee shops (1, 21)
	Transporting and selling alcohol,† including Haitian rum, at border areas (25)
	Working in woodworking shops, auto repair shops, and welding shops (15-19)
	Scavenging in landfills (15, 19)
	Domestic work (11, 18, 21, 24)
Categorical Worst Forms of Child Labor‡	Forced labor in domestic work, agriculture, street vending, shining shoes, and begging, each sometimes as a result of human trafficking (3, 11, 15, 26, 27)
	Commercial sexual exploitation sometimes as a result of human trafficking (2, 3, 9, 18, 28)
	Use in illicit activities, including drug trafficking sometimes as a result of human trafficking (3, 11, 15, 25, 29, 30)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Children in the Dominican Republic are engaged in commercial sexual exploitation, particularly in touristic locations and major urban areas. The porous border between Haiti and the Dominican Republic has allowed some children to be trafficked into the Dominican Republic, where they have been engaged in commercial sexual exploitation or forced to work in agriculture, domestic work, street vending, or begging.(2, 3, 18, 19, 26, 27, 31) Some children, including Haitian children and Dominican-born children of Haitian descent, work in sugarcane production, a hazardous occupation, often alongside their parents, and live in communities that often lack adequate housing and basic services.(4, 7-10, 32)

Children of undocumented migrant parents, many of Haitian descent, are particularly vulnerable to labor exploitation, because they do not possess birth or residency documents. (3, 32-34) Many Dominican-born persons of Haitian descent, including children, remain in undocumented status as a result of the 2013 Constitutional Tribunal Judgment, and were not able to obtain legal residency documents under Law 169-14 and the National Plan to Regularize Foreigners during the reporting year.(11, 32, 35-38) Moreover, the Government continued to involuntarily repatriate to Haiti undocumented individuals including 2,551 unaccompanied children. This practice increases the likelihood that these children will engage in child labor, including its worst forms, as some reside in camps in Haiti near the border with the Dominican Republic where schools and other basic services are not available.(39-42) In addition, the children who remain in the Dominican Republic after their parents have been repatriated to Haiti are also vulnerable to the worst forms of child labor.(32, 42)

National law guarantees free public education, requiring that all children attend school until age 18, and prohibits the exclusion of children from the educational system based on a lack of identity documents. (18, 42-46) However, in practice, some public primary and secondary schools in both urban and rural areas deny access to children who cannot present birth certificates or identity documents, mainly children of Haitian descent, sometimes due to the lack of understanding of national laws and policies. (11, 12, 42, 47-50) The Ministry of Education also continued to lack a formal complaint and redress system to handle these school denial cases. (51) In addition, the current Operations Manual of Public Education Centers of the Ministry of Education incorrectly requires school administrators to require children to present identity documents to enroll in school.(52, 53) Some primary and secondary schools permitted access without birth certificates, but required such documentation for the eighth and twelfth grade national exams required for graduation during the 2015-2016 school year. (11, 18, 34, 53, 54) In August 2016, the Ministry of Education released a directive that eliminates the eighth-grade national exam, which was a requirement to graduate from primary school, beginning in the 2017-2018 school year.(18, 42, 55, 56) However, in contradiction to national law, some schools continued to require children to present identity documents in order to take the twelfth grade national exam to graduate from secondary school.(11, 42, 57) Without the opportunity to graduate from secondary school and pursue higher education, and with limited access to formal sector

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work as adults, children without identity documents have less incentive to enroll or remain in school. Out-of-school children are at increased risk of engaging in the worst forms of child labor. (11, 27, 48, 50, 53, 58, 59)

Research did not identify evidence of actions taken by government authorities during the year to adequately address the aforementioned practices, such as by providing training to school officials, conducting public awareness campaigns, or taking disciplinary action against officials who violate laws or policies regarding the education of undocumented children. This lack of proactive steps delayed the government's advancement in addressing the worst forms of child labor within the country.

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Dominican Republic has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in the Dominican Republic's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Article 245 of the Labor Code; Article 40 of the Code for the Protection of Children and Adolescents (43, 60)
Minimum Age for Hazardous Work	Yes	18	Sections 1 and 2 of the Resolution on Hazardous Work for Persons Under Age 18; Article 251 of the Labor Code (60, 61)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 1–3 of the Resolution on Hazardous Work for Persons Under Age 18 (61)
Prohibition of Forced Labor	Yes		Articles 1, 3, and 7 of the Law Against Migrant Smuggling and Trafficking in Persons; Articles 25 and 409 of the Code for the Protection of Children and Adolescents; Articles 40 and 41 of the Constitution (43, 62, 63)
Prohibition of Child Trafficking	Yes		Articles 1, 3, and 7 of the Law Against Migrant Smuggling and Trafficking in Persons; Articles 25 and 409 of the Code for the Protection of Children and Adolescents; Article 41 of the Constitution (43, 62, 63)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 25 and 408–411 of the Code for the Protection of Children and Adolescents; Article 24 of the Law on Technological Crime (43, 64)
Prohibition of Using Children in Illicit Activities	Yes		Article 85 of the Law on Drugs and Controlled Substances (65)
Minimum Age for Military Recruitment			
State Compulsory	Yes*	18 ⁺	Articles 96, 97, 231 and 232 of the Organic Armed Forces Law (66)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
State Voluntary	Yes	18 [†]	Articles 26 and 96–97 of the Organic Armed Forces Law (66)
Non-State Compulsory	No		
Compulsory Education Age	Yes	18 [‡]	Article 63 of the Constitution; Articles 33, 35, 37, and 40 of the Organic Law of Education; Articles 45 and 46 of the Code for the Protection of Children and Adolescents (43, 44, 63)
Free Public Education	Yes		Article 63 of the Constitution; Articles 33, 35, 37, and 40 of the Organic Law of Education; Ministry of Education Circular No. 18 of 2011; Articles 45 and 46 of the Code for the Protection of Children and Adolescents (43, 44, 46, 63)

* Articles 96, 231 and 232 of the Organic Armed Forces Law (No. 139-13) state that there is no conscription in peacetime and that compulsory military recruitment may be authorized in situations of national defense or emergency. (66)

† The minimum age for voluntary military service is 18. However, children ages 16 to 18 may enlist for training with parental consent. (66)

‡ Age calculated based on available information. (44, 63)

Article 410 of the Code for the Protection of Children and Adolescents prescribes penalties of 3 to 10 years of imprisonment for the commercial sexual exploitation of children. UNICEF has stated that these penalties may not be severe enough to deter the commercial sexual exploitation of children in the Dominican Republic. (1, 43)

Article 2 of the Resolution on Hazardous Work for Persons Under Age 18 specifies activities that the Government deems hazardous and prohibits them for children under age 18. Article 3 of the same Resolution allows children ages 16 to 18 to engage in some hazardous activities, such as the use of industrial machines, as part of vocational training programs and only when properly trained, supervised, and protected. (61) Despite these protections, Article 251 of the Labor Code sets the general minimum age for hazardous work at 16. (60) The ILO has called upon the Government to amend the Labor Code to ensure that children ages 16 to 18 who are permitted to engage in hazardous activities are fully protected. (67)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MT)	Lead efforts to eliminate child labor; conduct labor inspections; and direct the Child Labor Unit (UTI) to investigate child labor. Refers children found in exploitative conditions to social services, mainly CONANI. (11, 18, 59, 68).
National Council for Children and Adolescents (CONANI)	Promote policies to eradicate all forms of violence against children, including child labor, as well as improve the employability of young people. (11, 59, 69) Coordinate with the MT to protect children against labor exploitation and enforce labor laws. (11, 59, 69, 70) Receive victims of child labor through 43 municipal-level offices for psychological evaluation and refer them for services. (69, 70).
Office of the Attorney General (AG)	Prosecute crimes involving children, including criminal violations related to the commercial sexual exploitation of children and other worst forms of child labor. Oversee the Special Prosecutor for Migrant Smuggling and Human Trafficking, which receives notifications of alleged violations related to the worst forms of child labor through a hotline. (3, 18, 30, 70)
National Police's (PN) Trafficking in Persons Unit and the Directorate of Migration (DGM)	Enforce criminal laws, including those prohibiting the worst forms of child labor, and coordinate with the AG in the prosecution of perpetrators. Under the Ministry of the Interior. (11, 18, 30, 71)
Specialized Corps for Tourist Safety	Prevent child sex abuse and commercial sexual exploitation in touristic areas, rescue child victims, and arrest and bring to justice child sex offenders. Overseen by the Ministry of Defense. (69)

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Labor Law Enforcement

In 2016, labor law enforcement agencies in the Dominican Republic took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$4.5 million (1, 16)	\$3.6 million (18, 20)
Number of Labor Inspectors	186 (1, 16)	183 (1, 16)
Inspectorate Authorized to Assess Penalties	No (1, 16)	No (18)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	N/A
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (1, 16)	Yes (18)
Number of Labor Inspections	92,644 (72)	84,474 [‡] (18, 20)
Number Conducted at Worksite	92,644 (16, 72)	84,474 [‡] (18)
Number Conducted by Desk Reviews	0 (16)	0 (18)
Number of Child Labor Violations Found	211 (1)	31 [‡] (18)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown(18)
Number of Penalties Imposed That Were Collected	Unknown	Unknown(18)
Routine Inspections Conducted	Yes (1)	Yes (18)
Routine Inspections Targeted	Yes (1, 16)	Yes (16, 18)
Unannounced Inspections Permitted	Yes (1, 16)	Yes (16, 18)
Unannounced Inspections Conducted	Yes (16)	Yes (16, 18)
Complaint Mechanism Exists	Yes (16)	Yes (16, 18)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Yes (20)

[‡] Data are from January 01, 2016 to October 31, 2016 (20).

The number of labor inspectors is insufficient for the size of the Dominican Republic's workforce, which includes over 5.1 million workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in industrializing economies, the Dominican Republic should employ roughly 341 labor inspectors.(73-75) Despite the reduction in the overall funding for the labor inspectorate compared to 2015, an additional \$140,000 was allocated to the MT to increase labor law enforcement actions to combat child labor during 2016.(18, 20)

The MT's process for labor inspections includes a preliminary visit, during which inspectors inform employers of violations and establish periods for remediation but do not issue fines. Upon expiration of the remediation periods, inspectors conduct re-inspections to determine whether the violations have been remedied.(60, 76, 77) If re-inspections find that the identified violations persist, the MT files infraction reports with the local office of the MT, which then transfers the infraction reports to the relevant local court for adjudication.(60, 76, 77) This two-tiered inspection process puts a strain on the Inspectorate's limited human and financial resources and may not sufficiently deter employers from exploiting children in the workplace, particularly in remote rural areas where re-inspections are more difficult and less consistent. In addition, evidence suggests that some inspection reports do not set a timeframe for the remediation of the violations identified.(78) Furthermore, the lack of published information on the results of inspections prevents a complete understanding of how effective this inspection system is in practice.(18)

Although the 2008 General Inspection Protocol and the 2011 Inspection Protocol for Agriculture instruct inspectors to assess child labor violations by reviewing workers' identity documents and employers' records, making observations, and conducting interviews, the widespread lack of identity documents impedes both inspectors and employers from verifying the ages of workers and guaranteeing that children under age 18 are not participating in dangerous or unhealthy work.(7, 12, 58, 76, 77) The MT has indicated that improvements could be made with respect to how inspectors conduct

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interviews, ask follow-up questions, and use inspection data to strengthen the inspection system.(12) Moreover, reports indicate that in some cases, Spanish-speaking inspectors working without translation assistance have been responsible for interviewing Creole-speaking workers with limited or no Spanish-language abilities, which has further hindered the efficacy of those inspections.(18)

From January through October 2016, the MT conducted 84,474 labor inspections. (18, 20) During this period, each inspector conducted an average of 461 inspections. It is unknown whether the high number of inspections conducted by each inspector affects the quality of inspections. Some NGOs and labor unions have reported that inspections are not always conducted in a timely manner after requests are made. In addition, evidence suggests that inspection reports often contain errors and contradictions that undermine the credibility of these reports, including by limiting the sample size of worksites for inspection in large rural facilities.(1, 15, 78) Reports also indicate that substandard labor inspection reports have hindered the ability of the Office of the Attorney General (AG) to pursue prosecutions on criminal matters involving child labor issues.(15)

A formal referral mechanism is in place that allows the MT to refer child victims of exploitative labor conditions found during labor inspections to the National Council for Children and Adolescents (CONANI) for social services. During the reporting period, the MT reported that it removed 103 victims of child labor, mainly from the agriculture, fishing, and services sectors and transferred them to CONANI where they received social and reintegration services.(18, 20)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in the Dominican Republic took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (1)	Yes(30)
Number of Investigations	19 (79)	19(80)
Number of Violations Found	45 (79)	19(80)
Number of Prosecutions Initiated	Unknown	21(80)
Number of Convictions	7 (1)	13(80)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (1)

In 2016, the AG’s Special Prosecutor for Migrant Smuggling and Human Trafficking employed five investigators to conduct investigations regarding the worst forms of child labor, including commercial sexual exploitation. However, reports indicate that its capacity to identify, investigate, and prosecute criminal cases related to the worst forms of child labor is limited due to resource constraints.(1, 18) Similarly, the National Police (PN) maintains a Trafficking in Persons Unit, but reports indicate that it did not investigate trafficking in persons crimes during the reporting period also due mainly to a lack of resources.(18, 30)

In 2016, the AG reported that it removed 63 victims of the worst forms of child labor and transferred them to CONANI where they received social and reintegration services.(30) Despite these efforts, reports indicate that CONANI does not have the resources, facilities, and institutional capacity to meet the demand for services nationwide.(3, 18, 30, 79) In addition, reports indicate that coordination between the MT and the AG has been limited due mainly to a lack of resources and that not all criminal violations identified by the MT have been referred to, and subsequently investigated and prosecuted effectively, by the AG.(15)

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IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee to Eliminate Child Labor (CDN)	Develop evidence-based policies to combat child labor and coordinate efforts of 48 Local and Municipal Committees to implement CDN efforts at the local level. Overseen by the MT and composed of ministerial representatives, labor unions, private sector, and NGOs.(11, 18, 19, 59, 81) In 2016, the CDN met to implement activities under national action plans, including awareness raising campaigns in agricultural zones and training labor inspectors on child labor laws.(18, 82, 83)
Inter-Institutional Commission Against Child Abuse and Commercial Sexual Exploitation	Coordinate actions to combat commercial sexual exploitation and child abuse. Led by CONANI and the MT, and includes representatives from local and international organizations, and the Hotel and Restaurant Association.(18, 30, 69) In 2016, organized workshops to raise awareness of the code of conduct to combat commercial sexual exploitation of children in the tourist sector.(84, 85)
Inter-Agency Commission Against Trafficking in Persons (CITIM)	Coordinate efforts to combat human trafficking and responsible for developing and implementing national plans. Led by the Ministry of Foreign Affairs and comprises 14 government agencies, including the MT and law enforcement agencies.(3, 36, 86) In 2016, met multiples times to implement protocols to identify and assist child trafficking victims.(3, 30)
Social Policies Coordination Cabinet (GCPS)	Coordinate all social policies and conditional cash transfer programs, such as the Progressing with Solidarity Program (PROSOLI). Led by the Vice President.(18, 59) In 2016, implemented activities to expand social protection services to groups vulnerable to human trafficking and forced labor.(87)

Reports indicate that the Local and Municipal Committees of the National Steering Committee to Eliminate Child Labor (CDN) face limitations in their coordination efforts due to a lack of resources.(88)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
National Strategic Plan to Eradicate the Worst Forms of Child Labor (PEN) (2006–2016)	Identifies the roles and responsibilities of government agencies and municipal representatives in eradicating the worst forms of child labor. Prioritizes prevention, protection, assistance, and the progressive eradication of the worst forms of child labor.(18, 68, 89) In 2016, launched media campaign to mobilize communities to report cases of child labor, especially in rural and agricultural zones.(20)
Roadmap Towards the Elimination of Child Labor in the Dominican Republic (2016–2020)	Aims to eliminate child labor by 2020. Sets targets and indicators for poverty reduction, health, education, institutional coordination, awareness-raising, and information sharing.(18, 20, 59, 90) In 2016, partnered with the ILO to implement initiatives that aim to remove children and youth from exploitative street work.(11)
National Action Plan Against Human Trafficking and the Smuggling of Migrants	Aims to combat human trafficking and the smuggling of migrants through strategic objectives, including prevention, investigation and prosecution, and victim assistance and protection.(79, 86, 91) The Government reported that this plan remained in effect for 2016 despite the fact that the policy indicated its conclusion in 2014. In 2016, conducted training sessions for judges on human trafficking.(30)
Education Pact (2014–2030)	Seeks to improve the quality of, and access to, primary and secondary education by increasing attendance and graduation rates, and enrolling more students in the Extended School Day Program. Includes strategies to combat child labor.(59, 92, 93) Implemented by the Ministry of Education and supported by World Bank. In 2016, focused on improving recruitment and training of school teachers.(93)
National Development Strategy 2030 (END)	Aims to reduce poverty and inequality, and includes programs that aim to combat child labor and provide universal education to all children. Includes strategies to expand access to secondary school, including for students without identity documents.(20, 59, 94) Implemented by the Ministry of Economy.(94) In 2016, carried out activities to improve access to education and health services to children living near sugarcane plantations (bateyes).(95)

[‡] The Government has other policies that may have addressed child labor issues or had an impact on child labor. (1, 70, 84, 96, 97)

Efforts to implement child labor elimination policies in the Dominican Republic have been slowed by an insufficient allocation of resources.(71, 96)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
<u>Global Action Program on Child Labor Issues Project</u>	USDOL-funded project implemented by the ILO in approximately 40 countries, including the Dominican Republic, to support the priorities of the <i>Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016</i> established by The Hague Global Child Labor Conference in 2010. Aims to build the capacity of the national government and develop strategic policies to address the elimination of child labor in the Dominican Republic and improve the evidence base on child labor through research. For additional information about USDOL's work, please see our Web site.(98)
Progressing with Solidarity (PROSOLI) [†]	Government program that provides conditional cash transfers for low income families to increase children's school attendance and reduce child labor.(59, 70, 96, 97). In 2016, launched an action plan to combat violence against children and provided vocational training programs and labor rights education to 40,000 at-risk youth.(96, 99, 100) In addition, the Vice President's Office reported that PROSOLI's School Attendance and School Subsidy Incentives in 2015 benefited 325,217 students, reducing school dropout rates among project participants by 3.8 percent and children's vulnerability to child labor.(69, 97)
Progressing Together (<i>Progresando Unidos</i>)	Government program financed by the World Bank that aims to reduce extreme poverty among 180,000 participants in 14 provinces, including Santo Domingo. Includes activities that enhance access to decent work for youth.(101, 102) In 2016, provided technical and vocational training programs to 42,000 at-risk youth.(103)
Extended School Day Program (<i>Jornada Escolar Extendida</i>) [†]	Ministry of Education program to extend school hours to a full day (8 a.m. to 4 p.m.) to improve educational achievement and reduce child labor.(12, 104, 105) A 2016 study showed that the program contributed to increasing the school enrollment rate from 87.56 percent in the 2011-2012 school year to 94.14 percent in 2015-2016.(106)
Regional Initiatives for the Elimination of Child Labor in Latin America and the Caribbean (2014–2018)	\$2.2 million Government of Spain-funded, 4-year project implemented by the ILO that aim to strengthen public policies and government capacity to combat child labor in 19 countries in Latin America and the Caribbean, including the Dominican Republic. Seeks to develop information systems on the worst forms of child labor and increase youth employment in the Dominican Republic.(107)
Empowering and Supporting the Human Rights of Children and Youth (2012–2018)	\$1.2 million Government of Canada-funded, 6-year project that aims to build the capacity of government agencies and civil society organizations that are responsible for protecting children, especially those of Haitian descent, from sexual and labor exploitation.(108)
Line 700 Hotline [†]	Office of the First Lady's free hotline to enable citizens to report cases of the worst forms of child labor. In 2016, conducted awareness campaigns to increase its visibility. (69, 109)
Rooms to Grow and Learn [†]	Government after-school programs that seek to prevent children from working by keeping them in a creative learning environment outside of normal classroom hours.(12, 110, 111)
Youth Alert Program (2012–2017)	USAID-funded project to protect at-risk youth from crime and promote access to education and vocational training programs, including for youth without identity documents. During 2016, benefited 55,203 youth, including by assisting 841 to obtain identity documents.(50, 112, 113)
UNICEF Country Program (2012–2016)	\$13.7 million UNICEF funded program that supports the Government's efforts to improve education, health, social inclusion, and protection for children in the Dominican Republic. Includes projects to increase birth registration rates and build the capacity of relevant government agencies to protect children from violence, sexual exploitation, and trafficking.(114-116)

[†] Program is funded by the Government of the Dominican Republic.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(16, 69, 71, 104, 117, 118)

In an effort to improve the national education system, the Government has allocated 4 percent of the national GDP in its budget for primary and secondary education for the fourth consecutive year.(18, 20, 59) While the Progressing with Solidarity (PROSOLI) program has been effective in reducing child labor and increasing school enrollment among its project participants, the program requires participants to present identification documents to access program benefits, which limits the participation of those individuals lacking such documentation, many of whom are particularly vulnerable to child labor.(12) Although the Dominican Republic has programs that target the worst forms of child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly commercial sexual exploitation and harmful work in agricultural areas.(31, 86)

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VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in the Dominican Republic (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Amend the Labor Code to raise the general minimum age for hazardous work to 18 and ensure that children ages 16 to 18 who are permitted to engage in hazardous activities are fully protected by the law.	2014 – 2016
	Ensure that penalties for the commercial sexual exploitation of children are adequate.	2015 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Ensure the law establishes a minimum age of 18 for compulsory military recruitment in situations of national defense or emergency.	2014 – 2016
Enforcement	Take concrete steps to remedy violations of Dominican law and policies that allow all children without birth certificates or other identity documents to enroll in primary and secondary education and complete schooling, including by: <ul style="list-style-type: none"> ■ Undertaking training of school administrators; ■ Conducting public awareness campaigns; ■ Establishing a complaint and redress system; and ■ Penalizing those school officials that violate the law or policies regarding school registration for undocumented children. 	2011 – 2016
	Authorize the labor inspectorate to assess penalties.	2015 – 2016
	Publish complete information on the number of child labor violations for which penalties were imposed and collected, as well as the training for criminal law investigators related to the worst forms of child labor.	2009 – 2016
	Increase the number of labor inspectors and resources for criminal investigators responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce, especially in remote rural areas.	2009 – 2016
	Strengthen the enforcement of child labor laws by: <ul style="list-style-type: none"> ■ Reforming the two-tiered inspection system to support the MT's ability to enforce laws prohibiting child labor and discourage the use of child labor by employers; ■ Following the MT's 2008 General Inspection Protocol and 2011 Inspection Protocol for Agriculture to establish a system to verify the age of young workers to better protect children without birth certificates or other legal documentation from exploitation; ■ Training inspectors to improve the quality of interviews, gather consistent documentation, conduct timely re-inspection to ensure compliance, and use inspection data to enable prosecution; and ■ Ensuring that labor inspectors, as needed, are able to communicate with Creole-speaking workers, including those who may be underage, to adequately conduct inspections for child labor violations. 	2012 – 2016
	Examine whether the inspection ratio for each labor inspector is appropriate to ensure the quality and scope of inspections.	2016
	Ensure CONANI has sufficient resources and facilities to provide the necessary care for victims of the worst forms of child labor.	2015 – 2016
	Improve coordination between the MT and the AG to ensure violations are effectively investigated and prosecuted.	2013 – 2016
Coordination	Ensure that the CDN's Local and Municipal Committees have sufficient resources to effectively coordinate efforts to address child labor.	2013 – 2016
Government Policies	Ensure that appropriate funding exists to effectively implement and coordinate policies related to child labor, including its worst forms.	2009 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including those of Haitian descent, by – <ul style="list-style-type: none"> ■ Ensuring that all children are able to obtain identity documents to reduce their vulnerability to labor exploitation; and ■ Addressing the specific educational needs of vulnerable populations, including unaccompanied migrant children, children of parents who have been deported, and undocumented children. 	2011 – 2016
Social Programs	Eliminate the requirement that individuals present identity documents to participate in social programs intended to combat child labor, including in the PROSOLI program.	2012 – 2016
	Expand social protection programs, particularly in commercial sexual exploitation and harmful agricultural work.	2010 – 2016

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In 2016, Ecuador made a significant advancement in efforts to eliminate the worst forms of child labor. The Government significantly increased the number of labor inspectors, up from 139 in 2015 to 206. The Government also piloted a multi-sectoral protocol designed to facilitate identification and referral of child labor cases at the local level and developed a tool to collect information on child labor cases and better identify, assist, and monitor children in child labor. In addition, the Government launched “Give Dignity,” a campaign to further the goals of the National Program to Combat Child Begging, and signed 38 cooperative agreements to implement the program investing over \$1.5 million to provide social services and training to more than 6,000 people, including child beggars. However, children in Ecuador perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. In addition, Ecuador lacks effective coordinating mechanisms to combat child labor, including its worst forms, and child labor programs that provide adequate coverage of the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Ecuador perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including commercial sexual exploitation, sometimes as a result of human trafficking.(1-4) Table 1 provides key indicators on children’s work and education in Ecuador.

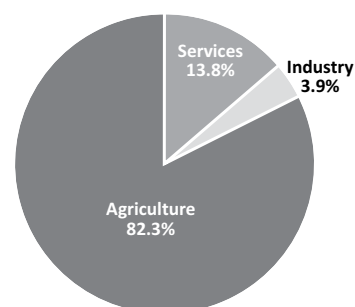
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	3.5 (115,930)
Attending School (%)	5 to 14	97.5
Combining Work and School (%)	7 to 14	3.8
Primary Completion Rate (%)		108.8

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2016.(5)

Source for all other data: Understanding Children’s Work Project’s Analysis of Statistics from Encuesta Nacional de Empleo, Desempleo, y Subempleo, 2016.(6)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of bananas,† palm oil,† timber,† and flowers,† including the use of chemical products and machetes (3, 7-12)
	Fishing† (11-13)
Industry	Gold mining† and small-scale mining† (13, 14)
	Production of bricks† (4, 15)
	Construction,† including loading construction material, mixing materials to make concrete, and brickwork (4, 12, 15, 16)
Services	Domestic work† (11)
	Unpaid household services (2)
	Street work, including begging, shoe shining, selling newspapers, and vending (10-13, 17, 18)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (17, 19-22)
	Use in illicit activities, including drug trafficking and robbery (4, 22)
	Forced recruitment of children by Colombian non-state armed groups for use in armed conflict.(16, 23, 24)
	Use in the production of pornography (10)
	Forced labor in domestic work, street vending, and begging, each sometimes as a result of human trafficking (18, 21, 25, 26)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Most children in child labor in Ecuador work in agriculture on small- and medium-sized farms; many of them perform dangerous tasks, such as using chemicals and machetes in banana and palm plantations.(4)




Children in Ecuador, particularly girls from poor families and migrant children from other Latin American countries, are also used in commercial sexual exploitation, including around illegal mines.(3, 4). Often migrating from rural towns to larger cities, children also engage in hazardous work in the production of construction materials.(4) In 2016, the Government reported an increase in human traffickers’ use of social media to recruit children.(4) Some of these children are trafficked to be exploited abroad, either sexually or for labor, while others are used in illicit activities, including drug trafficking and robbery. Children are also trafficked from small towns in the highlands to larger cities to be forced into begging and street vending.(4). Indigenous, Afro-Ecuadorian, and Colombian refugee children are especially vulnerable to human trafficking and are often recruited into forced labor under false promises of employment.(22)

Despite education being free in Ecuador, children face barriers to accessing education, including having to pay for uniforms and books, lack of space in public schools, and lack of transportation for children who must attend schools far from their homes.(27, 28) The 2016 earthquake exacerbated the problem of children traveling long distances to reach schools. Many indigenous children abandon school early, both in rural and urban areas.(12, 20) Specifically, almost half of all indigenous children in rural areas, and 37 to 40 percent of those in urban areas, do not attend secondary school, which can make them more vulnerable to child labor.(29) In March 2016, the Ministry of Education began implementing an administrative management system that was modified to capture child labor data to expand the knowledge base on child labor.(30)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Ecuador has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). The legal framework in Ecuador appears to be sufficient to address and protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Section 5, Article 46 of the Constitution; Title V, Chapter 1, Article 82 of the Childhood and Adolescence Code (31, 32)
Minimum Age for Hazardous Work	Yes	18	Title I, Article 2 and Title V, Chapter 1, Article 87 of the Childhood and Adolescence Code (32)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Title II, Chapter 1, Article 5 and Chapter 2, Article 8 of Resolution No. 016 of 2008; Article 5 of Ministerial Accord MDT–2015–0131 (33, 34)
Prohibition of Forced Labor	Yes		Articles 82, 91, 105, and 213 of the Integral Penal Code(3, 35)
Prohibition of Child Trafficking	Yes		Articles 91, and 213 of the Integral Penal Code (35)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 91, 101, 103and 104 of the Integral Penal Code (35)
Prohibition of Using Children in Illicit Activities	No		Articles 219 and 220 of the Integral Penal Code (35)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Title III, Chapter 4, Article 57 of the Childhood and Adolescence Code; Article 161 of the Constitution.(31, 32)
Non-state Compulsory	Yes	18	Section IV, Article 127 of the Penal Code; Title III, Chapter 4, Article 57 of the Childhood and Adolescence Code ; Article 161 of the Constitution.(31, 32, 35)
Compulsory Education Age	Yes	15	Chapter 5, Article 38 of the Organic Intercultural Education Law (36)
Free Public Education	Yes		Title VII, Article 4 of the Organic Intercultural Education Law; Chapter 5, Article 28 of the Constitution (31, 36)

* No conscription (31)

The law does not sufficiently prohibit commercial sexual exploitation, as the use, procuring, and offering of children for pornographic performances is not criminally prohibited.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Industrial Relations (MOL)	Monitor child labor, conduct labor inspections at work sites, and enforce child labor laws in the formal sector. Administer sanctions against companies found using child labor and collect fines.(3, 8, 10)
Ministry of Economic and Social Inclusion (MIES)	Provide remediation services to child laborers and their families. Assist victims of child labor found in the informal sector.(3, 37) With the Institute for Children and Families (INFA), provide social services and assist children who are victims of abuse, human trafficking, exploitative child labor, and sexual exploitation.(37, 38) Run seven protection centers staffed by social workers, doctors, psychologists, and educators.(37)
Attorney General's Office	Enforce criminal laws against child labor, commercial sexual exploitation, and human trafficking.(16, 39)
Ministry of Interior	Oversee and evaluate all police actions, including the Judicial Anti-Trafficking Police Unit (ATU) and the National Police Unit for Crimes against Children and Adolescents (DINAPEN). ATU investigates human trafficking cases, rescues victims, and arrests traffickers.(10) DINAPEN investigates all crimes against children, including abuse, sexual exploitation, sex tourism, smuggling, kidnapping, exploitative child labor, and forced labor.(18, 40) DINAPEN anti-trafficking unit also investigates child trafficking cases.(3)
Office of the Prosecutor	Try cases related to the worst forms of child labor.(10)
Ministry of Education	Help victims of child labor reintegrate into school through the Special Protection program.(41)

Ecuador

SIGNIFICANT ADVANCEMENT

Labor Law Enforcement

In 2016, labor law enforcement agencies in Ecuador took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown* (3)	\$61,752 (4)
Number of Labor Inspectors	139 (3)	206 (4)
Inspectorate Authorized to Assess Penalties	Yes (3)	Yes (4)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (3)	Yes (4)
Training on New Laws Related to Child Labor	Yes (3)	Yes (4)
Refresher Courses Provided	Yes (3)	Yes(4)
Number of Labor Inspections	683 (3)	4,626 (4)
Number Conducted at Worksite	683 (3)	Unknown
Number Conducted by Desk Reviews	0 (3)	Unknown
Number of Child Labor Violations Found	520 (3)	368 (4)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown* (3)	Unknown* (4)
Number of Penalties Imposed That Were Collected	Unknown* (3)	Unknown* (4)
Routine Inspections Conducted	Yes (3)	Yes (4)
Routine Inspections Targeted	Yes (3)	Yes (4)
Unannounced Inspections Permitted	Yes (3)	Yes (4)
Unannounced Inspections Conducted	Yes (3)	Yes (4)
Complaint Mechanism Exists	Yes (3)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (4)

*The Government does not publish this information.

According to the ILO, one of the major obstacles in combating child labor in Ecuador is the absence of an effective mechanism for receiving, routing, and addressing child labor charges and complaints.(4) While the Government has created new mechanisms for identifying and referring child labor victims, it does not apply them consistently and uniformly.(4) Children recruited to commit illegal acts may end up in juvenile detention centers, despite Ecuadorian law prohibiting this. In addition, while Ecuadorian laws and regulations governing child labor are comprehensive, those regarding hazardous work are not equally enforced in rural areas and family-run businesses.(4)

Although the Government significantly increased the number of labor inspectors in 2016, they are insufficient for the size of Ecuador's workforce, which includes more than 4.8 million workers. According to the ILO recommendation of 1 inspector for every 15,000 workers in developing economies, Ecuador should employ about 323 labor inspectors.(3, 4, 42-44) Furthermore, inspectors often lack the necessary resources, such as transportation, to fulfill their mandate.(3, 4, 39) Training guides for labor inspectors developed by the Government and ILO were released in 2016.(4, 39) In May 2016, training for labor inspectors on child labor and labor risks was extended to also include field officers from the Ministry of Labor's Project to Eradicate Child Labor.(30) The Government also organized a training of trainers on child labor eradication.(45) However, labor inspectors still lack adequate knowledge of child labor laws and processes for referring children to the appropriate social services and imposing penalties consistent with the law.(3)

In 2016, the Government implemented the National Plan of Progressive Prevention and Eradication of Child Labor (2014–2017), a strategy to identify the most risk-prone sectors for child labor and improve the quality and targeting of inspections.(3, 46)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Ecuador took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (40)	Yes (4)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (3)	N/A (4)
Refresher Courses Provided	Yes (3)	Yes (4)
Number of Investigations	948 (3)	Unknown
Number of Violations Found	1,422 (3)	Unknown
Number of Prosecutions Initiated	Unknown* (3)	Unknown* (4)
Number of Convictions	Unknown* (3)	Unknown* (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (4)

*The Government does not publish this information.

National Police Unit for Crimes against Children and Adolescents (DINAPEN) officers lack sufficient human and material resources to adequately investigate the use of children in the trafficking of drugs.(3)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Inter-institutional Committee for the Eradication of Child Labor	Coordinate Government efforts to combat child labor.(3) Last convened in April 2016.(46)
Inter-Agency Committee against Trafficking in Persons	Coordinate Government efforts to combat human trafficking, including child trafficking. Established as part of the National Plan to Combat Human Trafficking, Sexual and Labor Exploitation, and other Forms of Exploitation.(39) Led by MOI, involves several ministries and government agencies.(16)
Coordinating Ministry of Social Development (MCDS)	Convene government ministries to discuss issues, including child labor.(3) In 2015, improved protection and shelter services for victims of human trafficking.(39)
National Council for Intergenerational Equity (CNII)	Coordinate interagency efforts to protect vulnerable populations, including children.(3)
Local Autonomous Governments	Participate in coordinating mechanisms to combat child labor and implement the guidelines provided by CNII.(3) Mayors are held accountable to ensure that children do not work, and can be fined if children are found working.(47)
Ministry of Tourism and DINAPEN	Coordinate prevention work against the commercial sexual exploitation of minors.(39, 48)
Inter-Agency Table for the Eradication of Child Labor (<i>Mesa Interinstitucional de Erradicación del Trabajo Infantil</i>)	Coordinates regional efforts to address child labor.(49) Participants include MIES; regional councils of Childhood and Adolescence; Ministries of Education, Labor, and Interior; MCDS; DINAPEN; and the Attorney General's Office.(49) Met regularly in 2016 or when a new case regarding child exploitation was presented.(46)

Weak coordination between ministries providing social services has caused difficulties in ensuring that children rescued from working in the informal sector receive adequate social assistance.(4) In 2016, the Government launched Sistema Unico de Registro de Trabajo Infantil (SURTI), a platform to register and monitor child labor cases; improve coordination between government agencies, ministries, and police assisting child labor victims; and inform public policies relating to child labor prevention and eradication.(50) The Government also participated in piloting the Routes of Restitution of Rights in Child Labor (RRD), a multi-sectoral protocol designed to facilitate identification and referral of child labor cases at the local level in Guamote and Quinde.(4, 51, 52) Research was unable to determine if SURTI and RRD are linked.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Ecuador

SIGNIFICANT ADVANCEMENT

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plan to Eradicate Child Labor (2015–2017)	Establish strategy to eradicate child labor in Ecuador by 2017.(3) The Plan, approved in 2016, is being implemented.(46)
National Plan for Good Living (2013–2017) (<i>Plan Nacional del Buen Vivir</i>)	Improve living conditions for all citizens and promote social inclusion and decent work, including eradicating child labor.(53) In 2016, the Government implemented the awareness-raising campaign, Ecuador Without Child Labor.(46)
National Plan to Combat Human Trafficking, Sexual and Labor Exploitation, and other Forms of Exploitation	Establish processes to prevent, investigate, and impose legal sanctions against human trafficking, commercial sexual exploitation, and other forms of abuse. Enacted by decree in 2006 to protect and restore the rights of victims.(22, 54, 55) In 2016, the Government trained labor inspectors and other relevant actors on the List of Hazardous Occupations or Activities prohibited for children.(46)

† Policy was approved during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor†

Program	Description
UDSOL-funded initiatives	<u>Global Action Program on Child Labor Issues (GAP)</u> , a \$15.9 million project implemented by the Global March to End Child Labor.(56) <u>Building Effective Policies Against Child Labor in Ecuador and Panama (2012–2016)</u> , a \$3.5 million project implemented by the ILO.(57) <u>EducaFuturo Project (2012–2017)</u> , a \$6.5 million project implemented by Partners of the Americas, in collaboration with Expoflores, COMUNIDEC, and FUDELA.(58) Additional information is available on the USDOL Web site.
Project to Eradicate Child Labor (PETI) (2014–2017)	MOL project under the National Plan for Good Living to prevent hazardous child labor in agriculture, manufacturing, construction, and mining. In the first trimester of 2016, PETI launched awareness raising campaigns in 13 cities, reaching around 3,500 people nationwide.(46, 59) In 2016, PETI trained and raised awareness of 20,755 people on child labor and referred 368 children and adolescents to receive social services due to their vulnerability to child labor.(46)
Business Network for a Child Labor Free Ecuador	UN initiative, works to gain commitment from participating industries to promote the prevention and elimination of child labor in their supply chains.(60-62) In 2016, coordinated donations to benefit children affected by the April 2016 earthquake.(46) Through this program, the Government and the Government of Brazil exchanged best practices to address child labor.(46)
Prevention of Sexual Exploitation of Children and Adolescents†	Ministry of Tourism program that seeks to prevent commercial sexual exploitation by creating regulations and awareness campaigns in the tourism sector.(63) In 2016, for the first time, all travel agencies and tourist guides were required to take online training on how to detect child labor exploitation in all its forms to obtain work permits in the tourism industry.(46)
National Program to Combat Child Begging†	Raises awareness about child begging; aims to facilitate social services for children begging in the streets.(64, 65) In 2016, the Government launched “Give Dignity” (<i>Da Dignidad</i>), a campaign to further program goals, and signed 38 cooperative agreements, investing over \$1.5 million and helping more than 6,000 people.(65) Although no recent statistical data are available on the magnitude of begging, 417 children were rescued from begging in the streets of Duran, Guayaquil, and Saborondon between January and March 2016.(46)
Eloy Alfaro Workers’ Symphonic Orchestra (<i>Orquesta Sinfónica de los Trabajadores Eloy Alfaro</i>)*†	Established by MOL in 2016, orchestra performs to raise awareness of child labor. Comprises more than 200 former child laborers from Quito and Cuenca. MOL provides funding for daily music lessons for the children.(4) In 2016, performed a child labor awareness-raising concert, with 1,000 people attending.(46)
Grants for Human Development†	MIES conditional cash transfer program supplements household income, targeting vulnerable families.(14, 66, 67) In 2016, budgetary constraints reduced the number of families in the program by 75 percent.(4)

* Program was launched during the reporting period.

† Program is funded by the Government of Ecuador.

‡ The Government has other social programs which may have addressed child labor issues or had an impact on child labor.(4, 10, 56, 68)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Ecuador (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law prohibits the use, procurement, and offering of children for pornographic performances.	2016
	Ensure that the law specifically prohibits the use of children in illicit activities, including in the production and distribution of drugs.	2016
Enforcement	Publish the number of labor inspections done by site visit and desk review, penalties imposed and collected for child labor violations, and criminal investigations, violations, prosecutions and convictions relating to the worst forms of child labor.	2014 – 2016
	Ensure that children recruited by adults to commit illegal acts are not placed in juvenile detention centers.	2016
	Ensure that laws and regulations governing child labor, and especially hazardous labor, are enforced consistently throughout the country, including in rural areas and family-run businesses.	2016
	Increase the number of labor inspectors responsible for enforcing child labor laws in accordance with the ILO recommendation.	2009 – 2016
	Ensure that inspectors receive sufficient resources, such as transportation and translators, to effectively carry out their duties.	2014 – 2016
	Ensure that labor inspectors have sufficient knowledge of existing laws, penalties, and processes for referring victims to social services.	2015 – 2016
	Ensure that police investigators receive sufficient resources to investigate cases of the worst forms of child labor.	2016
Coordination	Strengthen coordinating mechanisms to combat child labor, including its worst forms.	2015 – 2016
Social Programs	Enhance efforts to eliminate barriers and make education, particularly secondary education, accessible for all children, including indigenous children and children from rural areas, by removing school-related fees, increasing classroom space, and providing adequate transportation.	2014–2016
	Expand child labor programs that target the worst forms of child labor.	2009 – 2016

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Egypt

MODERATE ADVANCEMENT

In 2016, Egypt made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government participated in a school feeding program that reached 13.3 million students and participated in a new program intended to expand access to education to 36,000 children. Almost all Syrian refugee children were enrolled in formal or non-formal education in 2016. The Government held trainings and awareness-raising events on issues of child trafficking. However, children in Egypt are engaged in the worst forms of child labor, including in quarrying limestone and in commercial sexual exploitation as a result of human trafficking. The Government did not publish data on the enforcement of child labor laws. In addition, programs to combat child labor are insufficient to adequately address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Egypt engage in the worst forms of child labor, including in quarrying limestone and in commercial sexual exploitation as a result of human trafficking. (1-6) Table 1 provides key indicators on children's work and education in Egypt.

Table 1. Statistics on Children's Work and Education

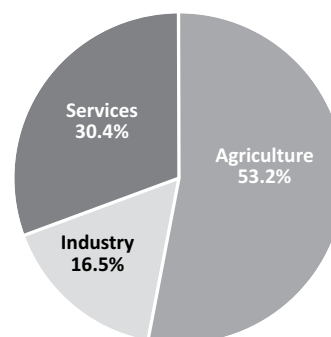
Children	Age	Percent
Working (% and population)	10 to 14.	2.9 (246,179)
Attending School (%)	10 to 14	93.8
Combining Work and School (%)	10 to 14	1.3
Primary Completion Rate (%)		103.8

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2016.(7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Survey of Young People in Egypt, 2009.(8)

Data on working children, school attendance, and children combining work and school are not comparable with data published in the previous version of this report because of differences between surveys used to collect the data.

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of cotton (3, 9-11)
	Caring for livestock (3, 12)
	Fishing, activities unknown (3, 13)
Industry	Quarrying [†] limestone (1-4)
	Making bricks (3, 14-16)
	Working in carpentry workshops (3, 17)
	Construction, activities unknown (3, 18)
	Working in aluminum factories (3, 19)
Services	Domestic work (3, 12, 20)
	Repairing automobiles (3, 14)
	Street work, including selling goods, collecting garbage, and sweeping (3, 11, 17, 21)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [†]	Domestic work as a result of human trafficking (3, 5)
	Commercial sexual exploitation as a result of human trafficking (3, 5, 6)
	Forced begging, sometimes as a result of human trafficking (3, 5, 22)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Some girls are subjected to commercial sexual exploitation under the pretext of “temporary marriage” to wealthy foreign men, mostly from Persian Gulf countries.(3, 5) Some Egyptian children are trafficked to Italy, where they are used for bonded child labor, commercial sexual exploitation, and illicit activities.(5, 23-27)

According to the Child Law, education is free through the basic level, consisting of 6 years of basic and 3 years of preparatory education.(28, 29) However, in practice, some schools charge fees for attendance, and the costs of books and uniforms are prohibitive for many families. As a result, children drop out of school.(13) In addition, cultural factors prevent some parents from sending their daughters to school.(13)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Egypt has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Egypt’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 64 of the Child Law (28)
Minimum Age for Hazardous Work	Yes	18	Article 1 of Ministry of Manpower’s Decree 118 (30)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 1-2 of Ministry of Manpower’s Decree 118 (30)
Prohibition of Forced Labor	Yes		Article 89 of the Constitution; Article 291 of the Penal Code as amended in the Child Law; Articles 2-3 of the Law on Combating Human Trafficking (28, 29, 31)
Prohibition of Child Trafficking	Yes		Article 89 of the Constitution; Article 291 of the Penal Code as amended in the Child Law; Articles 2-3 of the Law on Combating Human Trafficking (28, 29, 31)
Prohibition of Commercial Sexual Exploitation of Children	No		Article 116- <i>bis</i> (a) of the Child Law and Article 291 of the Penal Code as amended in the Child Law; Articles 2-3 of the Law on Combating Human Trafficking (28, 31)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Using Children in Illicit Activities	Yes		Article 34 of the Law on Narcotics; Article 65 of the Child Law; Article 2.2 of Ministry of Manpower's Decree 118 (28, 30, 32)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Article 1 of the Law on Military and National Service (33)
State Voluntary	Yes	15	Ministry of Defense Guidelines on Youth Volunteers in the Armed Forces (34)
Non-State Compulsory	Yes	18	Article 7-bis(b) of the Child Law (28)
Compulsory Education Age	Yes	15 [‡]	Article 59(1) of the Child Law; Articles 80 and 238 of the Constitution (28, 29)
Free Public Education	Yes		Article 54 of the Child Law (28)

[‡] Age calculated based on available information (29)

Laws prohibiting the commercial sexual exploitation of children are not comprehensive enough to criminally prohibit the procuring of a child in all circumstances for pornography or pornographic performances.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Manpower	Enforce child labor laws and regulations, including receiving and investigating child labor complaints.(35) Inspectors conduct routine labor inspections and refer instances of illegal child labor to the Ministries of the Interior and Justice.(36)
Ministry of the Interior	Enforce laws and regulations prohibiting human trafficking and commercial sexual exploitation of children.(37)
Ministry of Justice, Prosecutor General's Office	Prosecute violation of laws related to the worst forms of child labor and human trafficking.(37)
Ministry of Local Development	Provide administrative and logistical support for the enforcement of child labor laws.(38) Administer the Child Protection Committees.(36)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Egypt took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (35)	Unknown
Number of Labor Inspectors	Unknown (35)	Unknown
Inspectorate Authorized to Assess Penalties	Unknown	Unknown
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to Child Labor	Unknown	Unknown
Refresher Courses Provided	Unknown	Yes (39)
Number of Labor Inspections		
Number Conducted at Worksite	Unknown (35)	21,735 (39)
Number Conducted by Desk Reviews	Unknown	0
Number of Child Labor Violations Found	Unknown (35)	1,531 (39)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (35)	56 (39)
Number of Penalties Imposed that Were Collected	Unknown (35)	Unknown
Routine Inspections Conducted	Unknown	Unknown
Routine Inspections Targeted	Unknown	Unknown
Unannounced Inspections Permitted	Unknown	Unknown
Unannounced Inspections Conducted	Unknown (35)	Unknown
Complaint Mechanism Exists	Yes (35)	Yes (35)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (35)	Yes (35)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Egypt took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown (35)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (35)	Unknown
Refresher Courses Provided	Yes (40)	Yes (41)
Number of Investigations	Unknown (35)	13 (41)
Number of Violations Found	Unknown (35)	Unknown
Number of Prosecutions Initiated	Unknown (35)	2 (41)
Number of Convictions	2 (40)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (35)	Yes (35)

In 2016, the Government held 22 training events, including for prosecutors, law enforcement officials, and judges. The Government also held awareness-raising events on topics such as child trafficking, reaching almost 4,000 individuals.⁽⁴¹⁾ The Government investigated 11 cases of selling children, kidnapping children for the purpose of exploitation, and using children in illicit activities, and charged 2 individuals. However, comprehensive statistics on the number of investigations, violations, and prosecutions were unavailable because the data that the Government provided did not distinguish among several categories of cases, including child trafficking and organ trafficking.⁽⁴¹⁾

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Council for Childhood and Motherhood (NCCM)	Coordinate enforcement of laws related to child labor, including its worst forms. ⁽³⁾ Provide technical support and training for the Ministry of Manpower's inspectors on child labor. ⁽³⁶⁾ Identify and monitor at-risk children. Manage two 24-hour hotlines, receiving reports of child labor and child trafficking. ⁽³⁶⁾
National Coordinating Committee to Combat the Worst Forms of Child Labor	Coordinate the efforts of the Ministries of Manpower, Justice, Social Solidarity, and the Interior; the Council for Human Rights, Childhood, and Motherhood; and the Council for Women to draft a National Strategy to Combat the Worst Forms of Child Labor. ⁽³⁵⁾
National Coordination Committee on Preventing Illegal Migration and Combating Trafficking in Persons	Coordinate efforts to combat human trafficking. In 2016, merged with the National Coordinating Committee on Combating and Preventing Illegal Migration to improve coordination and accelerate Government efforts to address human trafficking. ^(3, 42) Led by an Ambassador appointed by the Prime Minister, the new committee comprises 18 government entities, including the Ministries of the Interior and Manpower. ⁽³⁹⁾

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor (cont)

Coordinating Body	Role & Description
Child Protection Committees	Coordinate child protection efforts at the local level. Organized by the Ministry of Local Development and the NCCM, and chaired by the local governors in each governorate, with subcommittees at each police station.(36)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
Second National Plan of Action Against the Worst Forms of Child Labor	Aims to provide timelines and identify roles of Government agencies responsible for assisting children engaged in child labor.(35) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
Third National Plan of Action Against Human Trafficking (2016–2021)†	Aims to maintain referral mechanisms, train law enforcement officials, and combat trafficking of street children.(35, 42)

† Policy was approved during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor†

Program	Description
Enhancing Access of Children to Education and Fighting Child Labor (2014–2018)	\$65 million, EU-funded, 4-year project implemented by the WFP provides food security for up to 100,000 children at risk of child labor, and financial assistance to 400,000 family members to compensate for wages that child labor would have otherwise generated, enabling children to attend school. Supports 50,000 households in income-generating activities to help keep their children in school.(43) By the end of 2016, the project reached 13.3 million students in 16 governorates. The Government is working to expand this project to include all students enrolled in public schools.(3)
Expanding Access to Education and Protection for at Risk Children in Egypt (2016–2021)*	\$32 million, EU-funded, project implemented by UNICEF in cooperation with the Ministry of Education and NCCM to expand access to education for 36,000 children, including 6,000 children with disabilities, and to support 15 Child Protection Committees in 15 governorates.(44)
Solidarity and Dignity Initiative of the Cash Transfer Program (2015–2017)†	Provides a monthly income supplement to poor families, conditional on keeping their children at school, or unconditional for the elderly and family members with disabilities. The Initiative aims to reach 1.5 million households by 2017.(45)
Positive Life Alternatives for Egyptian Youth at-Risk of Irregular Migration Program (2015–2017)	\$3.2 million, USAID-funded, 2-year project implemented by the IOM supports activities that include the goal of eliminating the worst forms of child labor, specifically through raising awareness among children and youth on the dangers of irregular migration and trafficking in persons, and building technical capacity of service providers for at-risk children.(46, 47) In 2016, the project held a workshop and study tour for 28 Government officials and community leaders in advance of a campaign to raise awareness about the risk of irregular migration and increase prosecutions and convictions of traffickers.(39)
Shelters for Children†	Shelters operated by the Ministry of Social Solidarity for victims of trafficking, and Dar as-Salam, operated by the NCCM and an NGO called Face, for a variety of project participants, including child victims of trafficking and forced labor. Dar as-Salam provides social services, including psychological counselling and health services.(41) In 2016, just under 5,600 children benefited from Dar as-Salam services.(41)

* Program was launched during the reporting period.

† Program is funded by the Government of Egypt.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(3, 48, 49)

As of August 2016, UNHCR announced that almost all Syrian refugee children were enrolled in formal or non-formal education.(50) In 2016, the National Council for Childhood and Motherhood (NCCM) held 66 awareness-raising events on human trafficking, reaching approximately 3,000 teachers, students, and residents in areas determined to be at high risk of human trafficking. The NCCM also printed pamphlets on the dangers of child trafficking and raised awareness of existing

social services.(41) Although Egypt has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Egypt (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law clearly criminally prohibits the procuring of children for pornography and pornographic performances under all circumstances.	2015 – 2016
Enforcement	Publish information on the labor inspectorate funding; the number of child labor inspectors, their training, and whether they can assess penalties; the number of penalties imposed that were collected; whether routine and targeted inspections were conducted; and whether unannounced inspections were permitted and conducted.	2011 – 2016
	Publish information on the training of criminal investigators, the numbers of violations found, and convictions.	2011 – 2016
Government Policies	Take steps to implement the Second National Plan of Action Against the Worst Forms of Child Labor.	2016
Social Programs	Ensure universal access to free public education, especially for girls, by addressing the cost of school fees, supplies, and other barriers to education.	2010 – 2016
	Expand existing programs to address the scope of the child labor problem.	2010 – 2016

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In 2016, El Salvador made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government approved regulations to facilitate the enforcement of the Special Law Against Trafficking in Persons, including on the referral of criminal child labor cases between law enforcement and social service agencies. The National Council for Children and Adolescents designed a mechanism to monitor the implementation of the National Policy for the Protection of Children and Adolescents. In addition, the Government passed the Educated El Salvador Plan, which aims in part to increase security in schools and improve access to education for vulnerable groups, including children engaged in child labor. However, children in El Salvador engage in the worst forms of child labor, including in the harvesting of sugarcane and in illicit activities, sometimes as a result of human trafficking. Law enforcement agencies continue to lack sufficient resources to fully enforce child labor laws, and no penalties for child labor violations were issued in 2016.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in El Salvador engage in the worst forms of child labor, including in the harvesting of sugarcane and in illicit activities, sometimes as a result of human trafficking. (1-6) Table 1 provides key indicators on children's work and education in El Salvador.

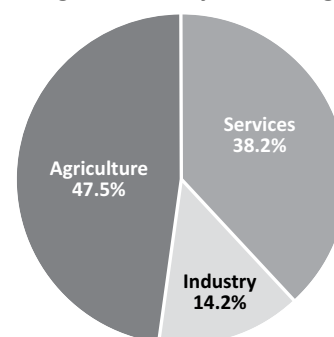
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	5.9 (68,431)
Attending School (%)	5 to 14	92.3
Combining Work and School (%)	7 to 14	6.1
Primary Completion Rate (%)		104.6

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016. (7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta de Hogares de Propósitos Múltiples (EHPM), 2015. (8)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Harvesting sugarcane [†] and coffee, [†] and production of cereal grains (2, 3, 9-12)
	Cattle-raising [†] (12)
	Fishing, [†] including harvesting shellfish and mollusks [†] (2, 3, 5, 10, 13, 14)
Industry	Manufacturing fireworks [†] (2, 3, 11, 13, 15, 16)
	Production of baked goods (12)
	Construction, [†] activities unknown (2, 10, 12, 17)
Services	Garbage scavenging [†] and street begging, [†] performing, [†] and vending [†] (2, 3, 11, 13, 16, 18)
	Domestic work (2, 3, 11-13, 19)
	Selling goods in markets or kiosks and working in restaurants (12)
	Repairing motor vehicles [†] (12, 17, 20)

El Salvador

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (2, 4, 6)
	Use by gangs to perform illicit activities, including committing homicides, extortion, and trafficking drugs, sometimes as a result of human trafficking (4-6, 13, 21-23)
	Forced begging, domestic work, and street work (2, 5, 6, 11, 23)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

In 2016, El Salvador, like Honduras and Guatemala, continued to be a principal source of the high numbers of unaccompanied children from Central America who were found migrating to the United States.(24, 25) These children often lack economic and educational opportunities and are vulnerable to the worst forms of child labor, including commercial sexual exploitation and recruitment by gangs for illicit activities, such as committing homicides and trafficking drugs.(26-28) Children often emigrate to escape violence, extortion, and forced recruitment by gangs, in addition to seeking economic opportunities and family reunification. Once en route, they become vulnerable to human trafficking and commercial sexual exploitation.(5, 26-29)







Child labor in El Salvador is predominantly male, with boys comprising approximately two-thirds of child laborers ages 5 to 17.(12, 30-32) However, girls comprise the majority of children engaged in domestic service in third-party homes.(2, 12, 19) Children are recruited into gang activity or are threatened by gangs while at school, including through extortion, which may cause children to stop attending school. Children who do not attend school are also more vulnerable to child labor, including its worst forms.(5, 6, 21, 29, 33-37) Although government programs have expanded basic education coverage, gang violence, including the extortion of school children, has hindered efforts to increase school enrollment and decrease dropout rates.(36-40) The Educated El Salvador Plan, passed in 2016, outlines additional government efforts to address this problem.(37)

Multiple reports, including by a third-party monitoring group, indicate that the use of child labor in the sugarcane harvest has declined since 2010.(9, 41, 42) However, research could not find official government statistics on the number of children engaged in the production of sugarcane. The published report of the 2015 Multipurpose Household Survey does not contain information on the number of children working in this sector.(12) The Government does not appear to conduct research on hard-to-reach populations who are engaged in the worst forms of child labor, including in illicit activities.

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

El Salvador has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
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 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The legal framework in El Salvador appears to be sufficient to address and protect children from child labor (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Article 114 of the Labor Code; Article 38 of the Constitution; Article 59 of the Law for the Comprehensive Protection of Children and Adolescents (LEPINA) (43-45)
Minimum Age for Hazardous Work	Yes	18	Article 105 of the Labor Code; Article 38 of the Constitution; Article 2 of Agreement 241 of 2011 (43, 44, 46)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 1 of Agreement 241 of 2011 (46)
Prohibition of Forced Labor	Yes		Articles 3 and 54–55 of the Special Law Against Trafficking in Persons; Article 13 of the Labor Code; Article 56 of LEPINA; Articles 4 and 9 of the Constitution (43-45, 47)
Prohibition of Child Trafficking	Yes		Articles 3 and 54–55 of the Special Law Against Trafficking in Persons; Article 56 of LEPINA (45, 47)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 3 and 54–55 of the Special Law Against Trafficking in Persons; Articles 169–173 of the Penal Code; Article 55 of LEPINA (45, 47, 48)
Prohibition of Using Children in Illicit Activities	Yes		Articles 3 and 54–55 of the Special Law Against Trafficking in Persons; Articles 214 and 345 of the Penal Code; Article 56 of LEPINA (45, 47, 48)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Article 215 of the Constitution (43)
State Voluntary	Yes	16	Articles 2 and 6 of the Military Service Law (49)
Non-state Compulsory	Yes		Article 345 of the Penal Code; Article 1 of the Law Prohibiting Gangs and Criminal Organizations; Article 7 of the Constitution (43, 48, 50)
Compulsory Education Age	Yes	18 [‡]	Articles 5, 18, 20, and 22 of the General Education Law; Article 82 of LEPINA; Article 56 of the Constitution (43, 45, 51)
Free Public Education	Yes		Articles 5, 18, 20, and 22 of the General Education Law; Article 82 of LEPINA; Article 56 of the Constitution (43, 45, 51)

[‡] Age calculated based on available information (45, 51)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Welfare (MTPS)	Inspect registered businesses for labor violations, including child labor.(10, 20) Maintain a child labor unit dedicated to child labor law enforcement issues.(52) Refer cases of alleged crimes of the worst forms of child labor to the Office of the Attorney General.(10)
Office of the Attorney General (AG)	Enforce criminal laws related to the worst forms of child labor. Maintain the AG’s Special Unit on Trafficking in Persons and Related Crimes that consists of 12 prosecutors who investigate human trafficking and related crimes.(6, 10, 11, 47) Refer exploited children to the Salvadoran Institute for the Comprehensive Development of Children and Adolescents (ISNA) for social services.(10)
National Civilian Police (PNC)	Enforce criminal laws related to the worst forms of child labor. Maintain the PNC’s Special Unit on Trafficking in Persons and Related Crimes that investigates cases of human trafficking, including child trafficking.(10, 20, 47) Maintain a hotline that receives complaints about human trafficking for sexual and labor exploitation.(53)
Salvadoran Institute for the Comprehensive Development of Children and Adolescents (ISNA)	Receive referrals from law enforcement agencies on cases of criminal exploitation of children, including for forced labor, human trafficking, and commercial sexual exploitation. Provide child victims with services, including shelter, medical attention, psychological help, and legal advice.(54)

El Salvador

MODERATE ADVANCEMENT

Labor Law Enforcement

In 2016, labor law enforcement agencies in El Salvador took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$1,862,755 (11)	\$1,912,214 (6)
Number of Labor Inspectors	186 (11)	183 (6)
Inspectorate Authorized to Assess Penalties	Yes (11, 16)	Yes (6)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (55)	N/A
Training on New Laws Related to Child Labor	Yes (11)	N/A
Refresher Courses Provided	Yes (11)	Yes (6)
Number of Labor Inspections	27,241 (56)	28,446 (57)
Number Conducted at Worksite	27,241 (55, 56)	28,446 (57)
Number Conducted by Desk Reviews	0 (55)	0 (6)
Number of Child Labor Violations Found	11 (11)	8 (6)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (11)	0 (6)
Number of Penalties Imposed that Were Collected	0 (11)	0 (6)
Routine Inspections Conducted	Yes (11)	Yes (6)
Routine Inspections Targeted	Unknown	Unknown* (6)
Unannounced Inspections Permitted	Yes (11, 16)	Yes (6)
Unannounced Inspections Conducted	Unknown	Yes (6)
Complaint Mechanism Exists	Yes (11, 16)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (6)

* The Government does not publish this information.

In 2016, the Ministry of Labor and Social Welfare (MTPS) reported that its level of funding was inadequate and hampered the labor inspectorate's capacity to enforce child labor laws.(6) The number of labor inspectors is insufficient for the size of El Salvador's workforce, which includes more than 2.7 million workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in industrializing economies, El Salvador should employ roughly 186 inspectors.(58-60) In 2016, the MTPS reported that it conducted 1,008 child labor-specific inspections, through which it found 8 child labor violations. Research did not find information on the sectors or geographical regions in which these inspections were conducted, or on the activities in which these children were engaged.(6)

Reports indicate that the inspection process, which may include complaint-driven and unannounced inspections, can entail multiple visits per site and that the MTPS's process to issue penalties can sometimes take up to 6 months. The Government reports that the Labor Committee of the Legislative Assembly is drafting an updated Labor Procedures Code, which will include provisions to streamline the issuance of penalties.(55, 61) The Salvadoran Institute for the Comprehensive Development of Children and Adolescents (ISNA) reported that in 2016 it assisted 14 children engaged in child labor, including 1 child engaged in dangerous work.(62)

Article 627 of the Labor Code specifies a default fine of no more than \$60 per violation of all labor laws, including child labor laws.(44) Reports indicate that this amount is insufficient to deter labor violations.(6) The Government is currently reviewing national legislation to ensure that monetary penalties for all labor violations are proportionate to the nature of the offense.(55, 61, 63)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in El Salvador took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Yes (11)	Yes (6)
Refresher Courses Provided	Yes (64)	Yes (6)
Number of Investigations	43 (11)	26 (6)
Number of Violations Found	Unknown	35 (6)
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	19 (11)	6 (6)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (6)

In 2016, the Office of the Attorney General (AG) provided training on the 2014 Special Law Against Trafficking in Persons to the National Civilian Police (PNC), immigration officials, and child protection officials. The National Council for Children and Adolescents (CONNA) also provided trainings on human trafficking issues to immigration officials and trained 25 officials on child commercial sexual exploitation.(6)

In 2016, the AG reported that 6 defendants were convicted in 26 cases of child commercial sexual exploitation involving 35 female victims, with sentences ranging from 8 to 10 years of imprisonment.(6) Criminal law enforcement agencies in El Salvador have reported that they lack sufficient resources to fully investigate and prosecute crimes, including the worst forms of child labor.(16) In addition, reports indicate that increased coordination between the PNC and the AG is needed to improve the investigation and prosecution of criminal child labor violations.(55) In October 2016, the Government approved regulations to facilitate the enforcement of the Special Law Against Trafficking in Persons and the coordination between the PNC and the AG to improve the investigation and prosecution of criminal child labor violations. The regulations also facilitate the interagency referral of criminal child labor cases between law enforcement agencies and ISNA for social services.(6)

ISNA reported that in 2016 it assisted 40 children engaged in the worst forms of child labor, including 16 victims of human trafficking, 13 victims of commercial sexual exploitation, and 11 victims of forced begging.(62)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Committee for the Eradication of Child Labor (CNETI)	Determine and implement government efforts to combat child labor, including the Roadmap to Make El Salvador a Country Free of Child Labor and its Worst Forms. Chaired by the MTPS and includes 12 government agencies, along with representatives from labor unions, business associations, and NGOs.(2, 12, 20, 65) Use a Web-based monitoring system that allows government agencies to share and analyze information to coordinate the implementation of the Roadmap.(66-68)
National Council Against Trafficking in Persons (CNCTP)	Coordinate government efforts to combat human trafficking and implement the National Policy Against Trafficking in Persons.(69) Led by the Ministry of Justice and Public Security and composed of 11 government agencies.(1, 47, 70)

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor (cont)

Coordinating Body	Role & Description
National Council for Children and Adolescents (CONNA)	Develop policies to protect the rights of children, including those regarding child labor, and implement LEPINA and the National Policy for the Protection of Children and Adolescents (PNPNA).(45, 71, 72) Composed of Departmental and Local Committees for Children’s and Adolescents’ Rights, ISNA, the Ministry of Public Security and Justice, the AG, the Human Rights Ombudsman, and other agencies. (20) In 2016, provided technical assistance in developing Departmental and Local Committees for Children’s and Adolescents’ Rights, per LEPINA, and reviewed and created a model to monitor PNPNA implementation.(6, 73)
Departmental and Local Committees for Children’s and Adolescents’ Rights	Implement CONNA’s policies, including the PNPNA, at the departmental and municipal levels, as well as receive complaints of child rights violations at the departmental level.(45, 74-76)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[†]

Policy	Description
Roadmap to Make El Salvador a Country Free of Child Labor and its Worst Forms	Serves as the Government’s principal policy for eliminating the worst forms of child labor. Aims to eliminate all child labor by 2020, including by reducing poverty, improving education and health, protecting children’s rights, and raising awareness on child labor.(1, 12, 77, 78)
National Policy for the Protection of Children and Adolescents (PNPNA) (2013–2023)	Sets government policies aimed at guaranteeing children’s rights and protecting them from violence and harm, including the worst forms of child labor. Other objectives include improving health services and access to quality education for children, including children with disabilities, and reducing poverty.(12, 72)
National Action Plan for the PNPNA (2014–2017)	Sets a framework for implementing the PNPNA for 2014–2017. Aims to address PNPNA objectives, including the prevention of violence, the promotion of access to quality education, and the elimination of child labor by focusing on children’s and adolescents’ rights, gender equality, and social inclusion.(12, 79, 80)
National Policy Against Trafficking in Persons	Defines a comprehensive plan to combat human trafficking of adults and children for labor and commercial sexual exploitation. Aims to improve prevention efforts, victim assistance, prosecution, interagency coordination, training, and anti-corruption efforts.(1, 81, 82)
Educated El Salvador Plan [†]	Outlines six priorities for improving El Salvador’s national education system, including increasing security in schools and improving access to education for vulnerable groups, including children engaged in child labor.(37) The Legislative Assembly has yet to fund the plan.(6)
Alliance for Prosperity in the Northern Triangle	Aims to create economic growth, increase educational and vocational training opportunities for youth, and reduce violence in Honduras, Guatemala, and El Salvador, in part to reduce the number of unaccompanied minors who leave El Salvador and these countries for the United States and who are vulnerable to human trafficking. Signed by the presidents of each country in 2014.(83-85)

[†] Policy was approved during the reporting period.

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(6, 86-92)

The Government has not included child labor elimination and prevention strategies into the National Youth Policy (2010–2024).(93)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
USDOL-Funded Projects	USDOL-funded, \$14 million Eliminating Child Labor in El Salvador Through Economic Empowerment and Social Inclusion (2010–2016), \$13 million Youth Pathways–Central America (2015–2019), and Global Research on Child Labor Measurement and Policy Development . Additional information is available on the USDOL Web site .
Don’t Risk Your Lives Public Awareness Campaign [†]	CONNA campaign that educates children and their families to the dangers of irregular and unaccompanied migration, including the risks of being trafficked and forced to engage in commercial sexual exploitation. Supported by UNICEF and the IOM.(55, 61, 94)

Table 10. Key Social Programs to Address Child Labor[†] (cont)

Program	Description
Public Awareness Campaigns on Child Labor [†]	Government public-awareness campaigns implemented by the Ministry of Education (MINED), the MTPS, the Ministry of Health, and CONNA to inform children about the dangers of child labor, including manufacturing and handling fireworks.(13, 16, 95, 96) During the reporting period, the MTPS, with the support of the EU and CARE International, and the Ministries of Governance and Agriculture, each conducted awareness campaigns.(13)
Public Awareness Campaign on Dangers of Irregular Migration [†]	Ministry of Foreign Affairs campaign to raise public awareness about the dangers of irregular migration, including the risk of human trafficking. Conducted through traditional and social media channels.(62)
Solidarity Communities Programs [†]	Government programs that aim to reduce social exclusion and boost household income by increasing access to public services and building human capital. Includes Health and Education Bonus Programs that assist families with cash transfers conditioned on children’s school attendance and health checkups.(1, 97) Includes the Temporary Income Support Program (PATI) that provides financial support and vocational training to beneficiaries ages 16 and older.(1, 97) In 2016, program assisted families across 125 municipalities with the highest rates of poverty.(98)
School Prevention and Security Plan [†]	Programs implemented by MINED, the Ministry of Justice and Public Security, and the PNC in schools with high levels of violence. Includes activities such as the provision of psychological help, skills workshops for youth, and increased police patrols.(99, 100) Expanded in 2015–2016 to operate in approximately 1,000 schools.(40)

[†] Program is funded by the Government of El Salvador.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(11, 16, 90, 99, 101-107)

The Government implements several programs to reduce the worst forms of child labor by assisting poor families and school children; however, research found no evidence that the Government has programs that assist child laborers who may not be living with their families or attending school, such as children engaged in domestic work. Research could also not determine whether the Government’s efforts to prevent and eliminate child labor in the production of sugarcane addressed the full scope of the problem.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in El Salvador (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Enforcement	Provide sufficient funding and resources to the MTPS and criminal law enforcement agencies to fully enforce child labor laws.	2010 – 2016
	Ensure that the number of labor inspectors is sufficient to fully enforce child labor laws.	2014 – 2016
	Publish information on whether routine inspections are targeted to high-risk sectors, as well as on the sectors and geographical regions in which inspections are conducted and on the activities in which children are engaged as a result of inspections.	2014 – 2016
	Strengthen enforcement of child labor and other laws by streamlining the labor inspection process and the issuance of fines.	2009 – 2016
	Ensure that penalties are imposed and fines are collected for child labor violations.	2015 – 2016
	Ensure that monetary penalties for child labor violations are proportionate to the nature and seriousness of the offense.	2009 – 2016
	Publish information on the number of criminal prosecutions related to the worst forms of child labor.	2015 – 2016
	Improve coordination between the PNC and the AG in their investigation and prosecution of criminal cases, including by implementing the regulations of the Special Law Against Trafficking in Persons.	2014 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into the National Youth Policy for 2010–2024.	2014 – 2016
Social Programs	Collect and publish government statistics on the number of children engaged in the production of sugarcane.	2016
	Conduct a study on the use of children in illicit activities.	2009 – 2016
	Improve children’s access to education by ensuring that school children are safe in schools.	2011 – 2016
	Implement programs to address child labor in domestic work and expand programs to combat child labor in the production of sugarcane.	2014 – 2016

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Eritrea

NO ADVANCEMENT – NO EFFORTS AND COMPLICIT IN FORCED CHILD LABOR

In 2016, Eritrea made no efforts to eliminate the worst forms of child labor and was also complicit in the use of forced child labor. In addition to not making any efforts, Eritrea is receiving an assessment of no advancement due to its continued requirement that children in grades 9 to 11 participate in a national program called Maetot, where they engage in compulsory labor in agricultural, environmental, and hygiene-related public works projects. Children were also forced to enroll in the Government's compulsory military training program. The Government does not make law enforcement data publicly available and national laws and regulations do not identify hazardous occupations or activities prohibited for children. In addition, the Government does not have a mechanism to coordinate its efforts to address the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Eritrea engage in the worst forms of child labor, including in forced labor.(1, 2) Table 1 provides key indicators on children's work and education in Eritrea. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		39.1

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(3)
Data were unavailable from Understanding Children's Work Project's analysis, 2016.(4)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including the production of corn, wheat, and sorghum (1, 5) Herding livestock (1)
Industry	Small-scale manufacturing (6, 7) Mining (8)
Services	Domestic work (1, 6) Working in garages, bicycle repair shops, tea and coffee shops, and metal workshops (1, 6, 9) Street work, including selling cigarettes, newspapers, and chewing gum; cleaning cars; begging; and transporting goods on donkey carts or tricycles (1, 10, 11)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (7, 12) Compulsory participation in Active National Service or the Popular Army prior to the age of 18 for military training, and in agricultural and domestic work (1, 12-16) Forced labor, including in agriculture and begging (8, 12, 13, 16, 17)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.

The Ministry of Education operates a national program, *Maetot*, under which children in grades 9 to 11 are required to engage in compulsory labor in public works projects during their summer holidays, in some cases for as long as 2 months.(1, 12, 16, 18) Adolescents may be required to dig irrigation ditches or canals, maintain agricultural terracing, or produce and maintain school furniture.(1, 16)

The Proclamation on National Service No. 82/1995 establishes compulsory military training and service, known as Active National Service, for all citizens ages 18 to 40.(19) To graduate from high school and meet the compulsory training component of National Service, students are required to complete their final year of schooling (grade 12) at the Sawa Education and Military Training Camp; these students have typically reached age 18, but some are reportedly younger.(1, 12, 13, 15, 19) Limited evidence suggests that military training includes military discipline and procedures, weapons training, and a 2- to 4-week war simulation.(15) Research found that some students are forced to conduct agricultural activities on government-owned farms, in addition to their military training, and girls may be subject to forced domestic work in military training centers.(16)

The uncertain length of service, inability to earn higher wages in the private sector, and notoriously harsh working conditions in the National Service provoked a significant number of youth, including unaccompanied minors, to flee Eritrea and may have also encouraged many to resort to the use of international smuggling or human trafficking networks.(12, 13, 15, 20-22) Adolescent children who attempted to leave Eritrea were sometimes detained or forced to undergo military training, despite being younger than the minimum age of 18 for compulsory military recruitment.(12, 15, 21)




Children face difficulty accessing education due to a shortage of schools; the inability to afford uniforms, supplies, and transportation; and a lack of birth registration, which is required to attend school.(1, 23)

Research did not find information on whether the Government made an effort to collect or publish data on the worst forms of child labor.

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Eritrea has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Eritrea's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	14	Article 68 of the Labour Proclamation (24)
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Articles 565 and 605 of the Penal Code (25)
Prohibition of Child Trafficking	Yes		Articles 605–607 of the Penal Code (25)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 594–595, 604–605, and 609 of the Penal Code (25)
Prohibition of Using Children in Illicit Activities	No		Article 510 of the Penal Code (25)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Articles 7 and 8 of the Proclamation on National Service (19)
State Voluntary	N/A		
Non-State Compulsory	No		Article 282(d) of the Penal Code (25)
Compulsory Education Age	No		
Free Public Education	No		

In May 2015, the Government announced that it was considering the establishment of a new Criminal Code that contains prohibitions on the commercial sexual exploitation of children. However, the Code has not yet been proclaimed.(26) Laws regarding the commercial sexual exploitation of children are insufficient because the procurement and offering of a child for prostitution and the use, procurement, and offering of a child for the production of pornography and pornographic performances are not criminally prohibited.(25)

The law’s minimum age protections do not apply to children working outside formal employment relationships, such as those who are self-employed.(24, 27)

Article 69 of the Labour Proclamation authorizes the Minister to issue a list of activities prohibited to children under age 18; however, the Government has not determined by national law or regulation the types of hazardous work prohibited for children.(24, 28) Laws related to the use of children in illicit activities are not sufficient because offering and procuring a child for the production and trafficking of drugs are not criminally prohibited.(25) Minimum age for voluntary military service is not applicable to Eritrea because all citizens ages 18 to 40 have the compulsory duty of performing Active National Service under the Proclamation on National Service No. 82/1995.(19)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and most enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Human Welfare	Enforce child labor laws.(26) According to the Government, child labor inspectors operate in every administrative zone.(29)
Popular Army	Perform night patrols and refer cases of commercial sexual exploitation of children or other exploitative practices to the Eritrean Police.(10, 18)
Eritrean Police	Enforce laws and investigate referred cases of child trafficking and commercial sexual exploitation of children.(10, 18)
National Security Administration	Work with the Eritrean police to combat the commercial sexual exploitation of children.(30)

Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in Eritrea took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	Unknown	Unknown
Number of Child Labor Dedicated Inspectors	Unknown	Unknown
Inspectorate Authorized to Assess Penalties	Unknown	Unknown
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to Child Labor	N/A	Unknown
Refresher Courses Provided	Unknown	Unknown
Number of Labor Inspections	Unknown	Unknown
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	Unknown	0 (29)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	0 (29)
Number of Penalties Imposed that Were Collected	Unknown	Unknown
Routine Inspections Conducted	Unknown	Unknown
Routine Inspections Targeted	Unknown	Unknown
Unannounced Inspections Permitted	Unknown	Unknown
Unannounced Inspections Conducted	Unknown	Unknown
Complaint Mechanism Exists	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Unknown

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Eritrea took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Unknown
Refresher Courses Provided	Unknown	Unknown
Number of Investigations	Unknown	Unknown
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown	Unknown

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Research found no evidence that the Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 8).

Table 8. Key Policies Related to Child Labor[‡]

Policy	Description
Comprehensive Child Policies	Aims to prevent and eliminate child labor in Eritrea. Aligns with the UN Strategic Partnership Cooperation Framework.(18)

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(31, 32)

Although it does not appear that there are any laws that provide for free and compulsory education, there is a policy that sufficiently provides for free and compulsory education.(32)

Research was unable to determine whether activities were undertaken to implement the Comprehensive Child Policies. The Government’s compulsory military training requirement for Active National Service for students in grade 12 may diminish the impact of Eritrea’s policies to combat the worst forms of child labor on all those wishing to obtain high school diplomas. In addition, the Government’s continued use of compulsory labor through the *Maetot* program may also diminish these efforts.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government participated in one program that may contribute to the prevention or elimination of child labor (Table 9).

Table 9. Key Social Programs to Address Child Labor

Program	Description
UNICEF Country Program (2013–2016)	UNICEF program, in collaboration with the Government, that improved the quality of basic education.(23) UNICEF also worked with the Ministry of Labor to provide social integration and counseling services to approximately 3,500 children vulnerable to street work.(33)

Although the Government participates in a program that targets children vulnerable to street work, the scope of this program is insufficient to fully address the extent of the problem. Furthermore, research found no evidence of programs that target children working in agriculture and domestic work and that specifically address the worst forms of child labor.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Eritrea (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify ILO C. 182 on the Worst Forms of Child Labor.	2013 – 2016
	Establish a minimum age for hazardous work and determine the types of hazardous work prohibited for children, in consultation with employers’ and workers’ organizations.	2015 – 2016
	Ensure that all children are protected by minimum age laws, including those who are self-employed.	2010 – 2016
	Ensure that procuring and offering a child for prostitution and using, procuring, and offering a child for the production of pornography and pornographic performances are criminally prohibited.	2014 – 2016
	Ensure that procuring and offering a child for the production and trafficking of drugs are criminally prohibited.	2013 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016

Table 10. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish by law an age up to which education is compulsory that is the same as the minimum age for work.	2016
	Establish by law free basic public education.	2016
Enforcement	Collect data on labor and criminal law enforcement and make the data publicly available.	2009 – 2016
Coordination	Establish a coordinating mechanism to combat the worst forms of child labor.	2009 – 2016
Government Policies	Ensure that the Comprehensive Child Policies are implemented.	2009 – 2016
	Ensure that children under age 18 are not recruited into Active National Service.	2009 – 2016
	Cease requiring children to perform compulsory labor under the <i>Maetot</i> program during the school break.	2009 – 2016
Social Programs	Ensure that all children have access to education by building more schools, removing financial barriers, and increasing birth registration.	2010 – 2016
	Conduct research on child labor, including its worst forms.	2009 – 2016
	Expand existing programs to address the scope of children in street work. Institute programs to address child labor, including in agriculture and domestic work, and the worst forms of child labor, including in commercial sexual exploitation.	2009 – 2016

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In 2016, Ethiopia made a significant advancement in efforts to eliminate the worst forms of child labor. The Government adopted the Overseas Employment Proclamation that prohibits employment agencies from recruiting workers younger than 18 and allows the Ministry of Labor and Social Affairs to revoke the license of any agency that violates the prohibition. The Government also established a mechanism to refer victims of human trafficking to social services and trained labor inspectors, police officers, and judges on child labor issues. In addition, the Government adopted the National Human Rights Action Plan, which includes efforts to eliminate child labor, and participated in and implemented several programs to combat the worst forms of child labor. However, children in Ethiopia perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in domestic work and textile weaving. The law in Ethiopia does not include free basic education or a compulsory age for education, leaving children vulnerable to the worst forms of child labor. Social programs to combat child labor have not sufficiently targeted sectors with high incidences of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Ethiopia perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in domestic work and textile weaving.(1-3) Table 1 provides key indicators on children's work and education in Ethiopia.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	22.0 (5,545,319)
Attending School (%)	5 to 14	54.0
Combining Work and School (%)	7 to 14	17.0
Primary Completion Rate (%)		53.7

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Demographic and Health Survey, 2011.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Planting and harvesting apples, bananas, coffee, cotton, and khat (6-10)
	Herding livestock, including cattle (7, 10-13)
	Fishing,† activities unknown (7, 10, 13)
Industry	Mining† gold (6, 13)
	Quarrying† (7)
	Construction,† including carrying heavy loads and digging (7, 10, 13-15)
	Making pottery products (7)
Services	Traditional weaving of (hand-woven) textiles (7, 13, 16)
	Domestic work† (1-3, 9, 10, 14)
	Unpaid household services, including carrying heavy loads of water and firewood (7, 9, 13)
	Street work,† including as shoe shiners, assistants to taxi drivers, vendors, porters, and beggars (1, 7, 10, 12, 13, 17)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [†]	Commercial sexual exploitation, sometimes as a result of human trafficking (2, 3, 12, 17, 18) Forced labor in domestic work, herding, street vending, and traditional weaving of hand-woven textiles, each sometimes as a result of human trafficking (3, 7, 10, 13)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Sources indicate that children are trafficked from rural areas to Addis Ababa and to other regions of the country for forced labor in the weaving industry or to work as domestic servants.(3, 7, 10) According to IOM officials, the severe drought of 2015-2016 increased internal trafficking.(10, 19)




After ongoing protests in the Oromia region, the Government temporarily closed schools for weeks, disrupting children’s access to education through the presence of security forces and arrests of both teachers and students.(20) In addition, the continued lack of adequate schools and trained teachers in rural areas increases children’s risk of entering the workforce at a young age. The cost of school supplies also keeps some children from attending school.(10, 13, 21, 22) In the Southern Nations, Nationalities, and Peoples’ Region (SNNPR), sexual abuse and harassment of girls in schools is an additional barrier to education.(22)

In August, the Government launched a public awareness campaign to increase birth registration of children to ensure that they have access to services such as education, because birth certificates are required for initial school registration.(10, 23-26)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Ethiopia has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Ethiopia’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	14	Article 89(2) of the Labour Proclamation (27)
Minimum Age for Hazardous Work	Yes	18 [‡]	Articles 89(1) and 89(3) of the Labour Proclamation (27)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 89(4) of the Labour Proclamation; Directive on Prohibited Occupations for Young Workers (27, 28)
Prohibition of Forced Labor	Yes		Article 18(3) of the Constitution; Article 596 of the Criminal Code; Articles 2.4 and 3–4 of the Proclamation to Provide for the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants (29-31)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Child Trafficking	Yes		Article 18(2) of the Constitution; Articles 597, 635, and 637 of the Criminal Code; Article 3.2 of the Proclamation to Provide for the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants (29-31)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 634–636 of the Criminal Code; Article 2.4 and 3–4 of the Proclamation to Provide for the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants (30, 31)
Prohibition of Using Children in Illicit Activities	Yes		Article 525 of the Criminal Code (30)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 270 of the Criminal Code (30)
Non-state Compulsory	Yes	18	Article 2.3 of the Proclamation to Provide for the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants (31)
Compulsory Education Age	No		
Free Public Education	No		

* No conscription (30)

‡ Age calculated based on available information (27)

In 2016, the Government of Ethiopia enacted Ethiopia's Overseas Employment Proclamation, which restricts overseas employment of Ethiopians to those 18 or older and allows the Government to revoke the license of any employment agency that violates the law. The ban on regular migration, however, has increased irregular migration, increasing vulnerability to trafficking.(19, 32)

Not all Ethiopian laws related to child labor are completely in compliance with international standards. Article 89(5) of the Labour Proclamation allows children ages 14 to 16 to engage in certain forms of hazardous work, if the work is performed following a government-approved vocational training course, in contradiction to ILO Convention 138.(27, 33) The minimum age provisions of the law do not apply to children working outside of a contractual employment relationship.(10, 33) The types of hazardous work prohibited for children do not cover traditional weaving, an area of work in which there is evidence of using dangerous machinery, equipment, and tools; or work that involves the manual handling or transport of heavy loads.(27, 28)

Although it does not appear that there are any laws that provide free basic education or a compulsory education age, government policy sufficiently provides for free basic education through grade 10.(10, 13, 14, 26, 33, 34)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Affairs (MOLSA)	Conduct labor inspections of formal worksites at the regional level through its regional Bureaus of Labor and Social Affairs (BOLSAs).(10, 35) Through its Occupational Safety and Health Case Team (OSHCT), enforce occupational safety, health, and wage and hour protections, which include child labor laws.(12, 24, 35) Collect and analyze data and make policy recommendations on labor.(8, 35)
Ethiopian Federal Police Commission	Investigate criminal violations of laws that protect against the worst forms of child labor.(6, 14, 36) Through its Special Child Protection Units in 10 Addis Ababa sub-city police stations, work to combat the worst forms of child labor, including child trafficking.(37, 38) Through its Human Trafficking and Narcotics Section, collaborate with the prosecutor's office to investigate human trafficking, prosecute offenders, and report and collect human trafficking data.(14)
Office of Attorney General	Prosecute criminal violations of child labor laws. Lead the Anti-Human Trafficking and Smuggling of Migrants Task Force.(10, 24, 36)

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Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Ministry of Women and Children's Affairs	Develop and implement programs to protect vulnerable children and monitor alleged violations of child protection laws, including the worst forms of child labor.(2, 39)

Given that construction is an industry with evidence of child labor, during the reporting period, the Ministry of Labor and Social Affairs (MOLSA) signed a Memorandum of Understanding with the Ministry of Construction (MOC) to ensure that MOC considers labor inspection reports of a company when reviewing its construction license.(10)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Ethiopia took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$300,000 (15)	\$388,000 (10)
Number of Labor Inspectors	423 (15)	517 (10)
Inspectorate Authorized to Assess Penalties	No (15)	No (10)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (15)	Yes (36)
Training on New Laws Related to Child Labor	Unknown	Yes (10)
Refresher Courses Provided	Yes (15)	Yes (10)
Number of Labor Inspections	37,500 (15)	52,937 [‡] (26)
Number Conducted at Worksite	Unknown	Unknown (10)
Number Conducted by Desk Reviews	Unknown	Unknown (10)
Number of Child Labor Violations Found	Unknown	Unknown (10)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown (10)
Number of Penalties that Were Collected	N/A	N/A (10)
Routine Inspections Conducted	Yes (15)	Yes (10)
Routine Inspections Targeted	Yes (15)	Yes (10)
Unannounced Inspections Permitted	Unknown	Yes (10)
Unannounced Inspections Conducted	Unknown	Unknown (10)
Complaint Mechanism Exists	Yes (15)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (15)	Yes (10)

[‡] Data are from September 11, 2015 to December 31, 2016.

Labor inspectors received regular training on domestic and international laws pertaining to work prohibited for youth laborers, as well as techniques to identify child laborers, including on the new Revised Overseas Employment Proclamation. In October 2016, MOLSA conducted a workshop for 46 regional and Addis Ababa labor inspectors in labor standards, including child labor.(10, 36)

The penalties for violating child labor laws, outlined in Article 185 of the Labour Proclamation, are low and do not generally deter violations.(27, 35) Despite a higher budget for the labor inspectorate, scarce resources and an insufficient staff prevent proper enforcement of child labor laws, particularly in the agricultural sector in rural areas, at construction sites in urban areas, and at sites of domestic work.(10, 15, 35) The number of labor inspectors is insufficient for the size of Ethiopia's workforce, which includes over 49 million workers. According to the ILO's recommendation of 1 inspector for every 40,000 workers in less developed economies, Ethiopia should employ roughly 1,232 inspectors.(15, 40, 41)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Ethiopia took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Yes (36)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Yes (10)
Refresher Courses Provided	Yes (15)	Yes (10)
Number of Investigations	Unknown	Unknown (10)
Number of Violations Found	Unknown	Unknown (10)
Number of Prosecutions Initiated	Unknown	Unknown (10)
Number of Convictions	Unknown	Unknown (10)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (15)	Yes (10)

In 2016, the IOM, in collaboration with the Office of the Attorney General (OAG) and the Ethiopian Federal Police Commission, conducted anti-trafficking workshops for police at the Police University College and developed a training manual. The IOM also provided two trainings on the Anti-Trafficking Proclamation and on investigation skills for trafficking crimes for approximately 70 police, prosecutors, and judges in Harar and Dessie.(10) The OAG and the ILO held a workshop for 80 members of the media on the Anti-Trafficking Proclamation to build awareness.(19)

The UNODC provided training to about 100 police officers and judges to increase their capacity to investigate and hear trafficking cases, in addition to providing a separate training for 70 judges and prosecutors using a new virtual reality module that mimics the scene of a human trafficking crime. MOLSA, together with World Vision International, conducted two trainings for judges regarding labor laws generally, including how to spot child labor.(10, 42)

The SNNPR's Bureau of Labor and Social Affairs officials reported one case in which a trafficker was convicted of running a child begging and garbage collection ring and was sentenced to jail.(10)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee on the Worst Forms of Child Labor	Coordinate activities on the worst forms of child labor. Members include MOLSA, the Ministry of Women and Children's Affairs, and the Ministry of Education.(14)
MOLSA National Forum to Eliminate the Worst Forms of Child Labor	Combat the worst forms of child labor at the national level. Meet twice a year. Include participants from the Ethiopian Employers' Federation and Confederation of Ethiopian Trade Unions.(14)
National Steering Committee Against Sexual Exploitation of Women and Children	Develop action plans and coordinate activities against the commercial sexual exploitation of children.(21, 39)
National Committee to Combat Trafficking in Persons	Address international exploitation, including the worst forms of child labor. Chaired by the Deputy Prime Minister, with representatives from five Government ministries and regional presidents that meet twice a year.(31, 43)
National Anti-Human Trafficking and Smuggling of Migrants Task Force	Develop action plans quarterly and coordinate activities against trafficking in persons and migrant smuggling through the leadership of the Office of Attorney General, with representatives from 31 government stakeholders, as well as international organizations such as the IOM, ILO, and UNODC.(19, 31) In 2016, met to review implementation of the National Action Plan to Combat Trafficking in Persons and harmonize national and regional structures.(10, 31, 38, 43)
Child Protection Committees, Child Rights Committees, and Orphans and Vulnerable Children Task Forces	Promote children's rights, provide children with food and school supplies, and train members on child labor issues, case management, international child labor standards, and Ethiopian child labor laws. Include children, police, health workers, and teachers.(8, 39)

Ethiopia

SIGNIFICANT ADVANCEMENT

Research was unable to determine whether the National Steering Committee on the Worst Forms of Child Labor and the MOLSA National Forum convened during the reporting period, indicating that limited committee budgets may still affect the ability to operate and coordinate efforts to address child labor.(10, 15)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[†]

Policy	Description
National Action Plan to Eliminate the Worst Forms of Child Labor (2013–2016)	Includes guidelines on child labor identification, withdrawal, reintegration, and educational policies. Overseen by the National Steering Committee on the Worst Forms of Child Labor.(8, 24) Three workshops conducted by MOLSA with other stakeholders in 2016 to deliberate on the second stage of the National Action Plan 2017–2021, currently awaiting final approval.(10)
National Plan of Action to Combat Trafficking in Persons (2015–2020)	Examines legal and institutional frameworks and responses related to existing human trafficking. Aims to provide guiding principles based on international best practices for human anti-trafficking action and the institutional structures and inputs needed to effectively combat human trafficking.(44)
National Youth Policy	Condemns the worst forms of child labor, including commercial sexual exploitation and illicit work through direction by the Ministry of Youth, Sports, and Culture. Lacks a detailed and specific action plan related to preventing the worst forms of child labor.(45, 46) Government announced a new \$435 million revolving “youth fund” in 2016 to fund activities of the policy.(36, 45)
UNDAF (2016–2020) [†]	Promotes improved access to education and livelihood services for vulnerable children. Seeks to protect children from abuse, violence, and exploitation, and rehabilitate them.(47)
National Human Rights Action Plan (NHRAP) II (2016–2020) [†]	Aims to develop a comprehensive and structured mechanism to strengthen human rights in Ethiopia, building upon NHRAP I, which included efforts to eliminate exploitative child labor. Approved in December 2016.(48, 49)

[†] Policy was approved during the reporting period.

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(10, 15, 36, 39, 46, 50-56)

The Government has not included child labor elimination and prevention strategies in the Education Sector Development Program or the National Technical Vocational Education and Training Strategy.(57, 58)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
USDOL-Funded Projects to Address Child Labor	USDOL projects in Ethiopia aim to eliminate child labor, including its worst forms, through research, capacity building, and increased access to education and decent work opportunities. These projects include Global Research on Child Labor Measurement and Policy Development (2013–2017), implemented in at least 10 countries by the ILO; Global Action Program on Child Labor Issues (2011–2017), implemented in approximately 40 countries by the ILO; and Engaged, Educated, Empowered, Ethiopian Youth Project (2014–2018), a \$10 million project implemented by World Vision, Inc.(59-61) For additional information about USDOL’s work, please visit our website .
Social Cash Transfer Program (2011–2017)	In partnership with UNICEF, the Government provides vulnerable populations, including child laborers, with cash transfers in the Oromia and SNNPR regions to improve school attendance and enrollment and to support children’s health in targeted districts.(62) In 2016, UNICEF support in Tigray stopped, and beneficiaries in that region are now supported by PSNP4 and the regional Tigray Government.(36)
Productive Safety Net Program Phase IV (PSNP4) [†] (2014–2020)	\$3.5 billion, 6-year project co-funded with the World Bank that includes several components, including cash and in-kind transfers to orphans and vulnerable children and households without able-bodied adults who can work. In 2016, the World Bank approved additional financing of US \$100 million to scale up safety net support to an estimated 4.5 million clients affected by the El Nino-induced drought.(36, 63, 64)

Table 10. Key Social Programs to Address Child Labor[†] (cont)

Program	Description
Decent Work Country Program (DWCP) (2013–2016)	A tripartite (government, workers, and employers) partners-initiated program, guided by a National Steering Committee and funded by the Governments of the United Kingdom and the Netherlands. The program addresses country priorities identified by the constituents in collaboration with the ILO country office, which supports the integration of decent work priorities with Ethiopia's national development agenda as set out in the Growth and Transformation Plan (2015/16–2019/20) and UNDAF.(65) The program was extended through 2016 with the next generation of DWCP in development.(36)
General Education Quality Improvement Project II (2014–2018)	\$50 million World Bank-funded project, with additional donor support, that aims to improve learning conditions in Ethiopia through curriculum development, textbook assessment, teacher training, and school construction.(36, 66) In 2016, the project held a two-day national workshop on project implementation and forward planning. To date, the project has delivered more than 64 million textbooks to Ethiopian schools.(66)

[†] Program is funded by the Government of Ethiopia.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(3, 10, 15, 36, 55, 67-69)

Although the Government participates in and implements several programs to combat child labor, these programs do not sufficiently target sectors with high incidences of child labor, such as agriculture and domestic work.(10)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Ethiopia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age at which children may enter hazardous work following vocational training from age 14 to age 16, in line with ILO C. 138.	2009 – 2016
	Ensure that the types of hazardous work prohibited for children are comprehensive.	2016
	Ensure that all children are protected by child labor laws, including children working in non-contractual employment.	2009 – 2016
	Establish by law, free basic education and an age up to which education is compulsory that is consistent with the minimum age of employment.	2012 – 2016
Enforcement	Ensure that Occupational Safety and Health Case Team (OSHCT) and Bureau of Labor and Social Affairs (BOLSA) inspectors have sufficient resources to conduct systematic inspections in all labor sectors.	2009 – 2016
	Ensure that penalties are high enough to deter child labor law violations.	2013 – 2016
	Increase the number of labor inspectors to meet the ILO recommendation.	2015 – 2016
	Gather and publish information on the numbers of child labor law violations found, citations issued, and penalties applied; and whether unannounced inspections are conducted.	2009 – 2016
	Enforce the Labour Proclamation by authorizing the inspectorate to determine and assess penalties when child labor law violations are found.	2013 – 2016
	Publish data on the training of investigators, number of criminal investigations, violations found, prosecutions initiated, and convictions related to the worst forms of child labor.	2015 – 2016
Coordination	Ensure that the established coordinating mechanisms to combat child labor have adequate funding to operate effectively.	2015 – 2016
Government Policies	Integrate child labor elimination and prevention strategies in the Education Sector Development Program and the National Technical Vocational Education and Training Strategy.	2013 – 2016
	Include an action plan on the worst forms of child labor for the National Youth Policy.	2009 – 2016
Social Programs	Conduct research to determine the types of activities carried out by children working in fishing to inform policies and programs.	2015 – 2016
	Increase access to education by increasing school infrastructure, especially in rural areas; eliminating school-related costs; implementing programs that protect communities from droughts and floods; addressing sexual abuse and harassment of girls in schools; providing teacher training; and increasing birth registration rates of children to ensure that they have access to services such as education.	2010 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Social Programs	Develop social protection programs to prevent or withdraw children from agriculture and domestic work.	2009 – 2016

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In 2016, Fiji made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government launched a national 24-hour toll-free helpline for children to seek counseling, advice, and referrals for support services, as well as to report cases of child neglect and abuse. In addition, the Government led student leadership seminars in Labasa and Nadi through its Tackling Child Labor Through Education Project. However, children in Fiji perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Fiji has limited support services for child victims of commercial sexual exploitation, sometimes as a result of human trafficking.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Fiji perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking.(1-4) Table 1 provides key indicators on children's work and education in Fiji. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		106.4

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(5)

Data were unavailable from Understanding Children's Work Project's analysis, 2016.(6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Cutting,† loading,† weeding, and spraying chemicals† on sugarcane (7, 8)
	Planting, picking, and using chemicals† on tobacco (3, 9)
	Collecting and splitting coconuts, harvesting rice; planting, harvesting, weeding, and spraying fertilizers on roots (including <i>dalo</i> and <i>yaqona</i>); and planting and harvesting other kinds of fruits and vegetables† (3)
	Pig farming and goat and cattle herding (3)
	Fishing† and deep-sea diving† (3, 9)
Services	Street work, including pushing wheelbarrows for shoppers in markets, vending, washing cars, shining shoes, and begging (2, 3, 10-13)
	Domestic work (3, 13)
	Working in garages or in retail shops (4, 10, 13)
	Selling fruit (3, 10)
	Collecting bottles† and scrap metal† (3, 13)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [†]	Commercial sexual exploitation, sometimes as a result of human trafficking (3, 14-18)
	Forced labor in agriculture, begging, domestic work, each sometimes as a result of human trafficking (2, 18-20)
	Use in illicit activities, including drug trafficking (3, 13)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.




[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Commercial sexual exploitation of children continued to occur in Fiji, particularly by family members, taxi drivers, foreign tourists, businessmen, and crew on foreign fishing vessels.(2, 3, 17, 18) Parents sometimes send their children to live with families in cities or near schools to facilitate their continuing education and to perform light household work. Research found that some of these children are vulnerable to involuntary domestic work or are forced to engage in sexual activity in exchange for food, clothing, or shelter.(2, 18, 21, 22)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Fiji has ratified some key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Fiji’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 92 of the Employment Relations Promulgation (23)
Minimum Age for Hazardous Work	Yes	18	Article 40 of the Employment Relations (Administration) Regulations; Hazardous Occupations Prohibited to Children Under 18 Years of Age Order (9, 24)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Occupations Prohibited to Children Under 18 Years of Age Order (9)
Prohibition of Forced Labor	Yes		Articles 6 and 91 of the Employment Relations Promulgation; Articles 20 and 21 of the Immigration Act; Articles 102 and 103 and 111–121 of the Crimes Decree; Article 10 of the Constitution of the Republic of Fiji (23, 25-27)
Prohibition of Child Trafficking	Yes		Article 91 of the Employment Relations Promulgation; Article 20 of the Immigration Act; Article 10 of the Constitution of the Republic of Fiji; Articles 111–121 of the Crimes Decree (23, 25-27)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 91 of the Employment Relations Promulgation; Articles 225–227 of the Crimes Decree; Juveniles (Amendment) Act (23, 27, 28)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Using Children in Illicit Activities	Yes		Article 91 of the Employment Relations Promulgation; Article 58 of the Juveniles Act (23, 29)
Minimum Age for Military Recruitment			
State Compulsory	Yes*	18	Article 7 of the Royal Fiji Military Forces Act (30)
State Voluntary	Yes	18	Article 7 of the Royal Fiji Military Forces Act (30)
Non-state Compulsory	No		
Compulsory Education Age	Yes	15	Compulsory Education Order; Compulsory Education Regulations (31)
Free Public Education	No		

* No conscription (30)

The Employment Relations Promulgation specifies the conditions under which children ages 13–15 may engage in light work, but does not include a list of activities that are permissible.(4, 23)

Although it does not appear that there are any laws that provide free basic education, the Government has a policy that provides for free basic education.(32, 33)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment, Productivity, and Industrial Relations	Monitor compliance with the minimum age for employment requirements and the Employment Relations Promulgation.(1, 11) Oversee 14 Divisional Labor Offices responsible for investigating cases of child labor and making appropriate referrals.(11) In the case of the Child Labor Unit, coordinate activities at the national, divisional, and district levels through interagency committees on child abuse, including conducting trainings on child labor and maintaining a 24-hour phone line to accept reports of child labor and refer children to social services when appropriate.(4, 11)
Employment Relations Tribunal	Adjudicate alleged violations of child labor provisions in the Employment Relations Promulgation.(4)
Fiji Police Force	Enforce laws on child trafficking, commercial sexual exploitation, and illicit activities. Maintain a Human Trafficking Unit and provide training to other police units focused on combating human trafficking.(11, 34). Employ five officers responsible for enforcing criminal laws related to the worst forms of child labor.(4) Collaborate with the Australian Federal Police to combat potential child sex tourism by Australian nationals that comprise the largest tourist group visiting Fiji.(21)
Department of Immigration	Coordinate with the Fiji police force to investigate cases involving underage victims of commercial sexual exploitation and human trafficking, which are then tried in the criminal court system.(34, 35)
Departments of Social Welfare and Public Prosecutions	Enforce laws on child trafficking.(1) Operate four homes and provide social services for child trafficking victims.(11, 36)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Fiji took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (12)	Unknown(4)
Number of Labor Inspectors	63 (37)	68 (4)
Inspectorate Authorized to Assess Penalties	No (12)	No (4)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Training for Labor Inspectors		
Initial Training for New Employees	Yes (37)	Yes (4)
Training on New Laws Related to Child Labor	N/A	Yes (4)
Refresher Courses Provided	Yes (37)	Yes (4)
Number of Labor Inspections	4,128 (37)	3,475 [‡] (4)
Number Conducted at Worksite	4,128 (37)	3,475 [‡] (4)
Number Conducted by Desk Reviews	Unknown	0
Number of Child Labor Violations Found	7 (12)	5 (4)
Number of Child Labor Violations for Which Penalties Were Imposed	1 (12)	0 (4)
Number of Penalties Imposed That Were Collected	0 (37)	0 (4)
Routine Inspections Conducted	Yes (12)	Yes (4)
Routine Inspections Targeted	Yes (12)	Yes (4)
Unannounced Inspections Permitted	Yes (12)	Yes (4)
Unannounced Inspections Conducted	Yes (37)	Yes (4)
Complaint Mechanism Exists	Yes (12)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (12)	Yes (4)

[‡] Data are from January 1, 2016 to November 30, 2016.

Information was not available on the amount of funding dedicated for labor inspections. However, in 2016, the aggregate estimated operating expenditures for the Ministry of Employment, Productivity, and Industrial Relations (MEPIR) were \$7.75 million.⁽⁴⁾ In addition to MEPIR's 68 labor inspectors, there were also 30 health and safety inspectors and 40 police officers, as well as farmers from Fiji's northern and western divisions, who have received training on child labor and may provide coverage when needed. All labor inspectors are trained by MEPIR's Child Labor Unit on child labor, including hazardous work.⁽⁴⁾ Other civil society organizations and district community leaders involved in child protection also received training on this topic. As of November 2016, labor inspectors conducted 3,475 targeted routine inspections in the retail, manufacturing, and agricultural sectors in which children in Fiji are known to be employed. Inspections are conducted in the workers' language, including English, Hindi, and vernacular Fijian.⁽⁴⁾

In April 2016, the Ministry of Women, Children and Poverty Alleviation launched a national 24-hour toll-free helpline for children to seek counseling, advice, and referrals for support services, as well as to report cases of child neglect and abuse. Calls are screened for their authenticity and referred to the Ministry of Children, which can further refer the caller to the appropriate agency. Data were unavailable on the number of calls received related to child labor.⁽⁴⁾

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Fiji took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (37)	Yes (34)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes (4)
Refresher Courses Provided	Yes (38)	Yes (34)
Number of Investigations	4 (38)	Unknown (34)
Number of Violations Found	3 (12)	5 (34)
Number of Prosecutions Initiated	0 (38)	0 (34)
Number of Convictions	0 (12, 38)	0 (34)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (20)	Yes (34)

In 2016, the Minister for Employment recorded five child labor violations, and these children were referred to schools to receive vocational and technical training.(4)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Inter-Agency Network	Focus on child labor issues at the district and provincial level. Monitor and report cases of non-compliance. Conduct awareness-raising activities in collaboration with the Child Labor Unit.(39) Comprises interagency committees in nine towns in Fiji.(1, 40)
Inter-Agency Taskforce on Beggars	Address issues concerning children who beg and other exploited children.(1) Enforce zero-tolerance policy on child begging.(12)
Inter-Agency Trafficking Task Force	Implement the National Plan of Action to Eradicate Trafficking in Persons and Child Trafficking. Headed by the Department of Immigration.(1, 11, 36)

The Inter-Agency Trafficking Task Force has not been active since 2012.(11, 12) This lack of coordination may limit the Government's effectiveness in efforts to combat child trafficking.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plan of Action to Eradicate Trafficking in Persons and Child Trafficking	Guides the Government's efforts to prevent and combat trafficking in persons. Focuses on increasing public awareness and education on human trafficking-related issues and prioritizes anti-trafficking training for Government officials.(36) Chaired by the Immigration Department, with the Fiji Police Force's Human Trafficking Unit serving as the lead coordinator.(12) Government coordinated interagency efforts to investigate and begin formal charges in suspected human trafficking cases.(21)
Free Education Grant	Provides 12 years of tuition-free education for children with Fijian citizenship in 904 eligible primary and secondary schools. Provided approximately \$97 million for tuition-free education and textbooks during the 2016–2017 fiscal year, an increase from the previous year.(22, 32, 41-43)

In 2016, the Government incorporated the 5-year Strategic Plan for Combating Child Labor, including its worst forms, into the draft National Action Plan for Child Labor. Neither the Strategic Plan nor the National Action Plan, however, has been approved.(4, 22, 44) In addition, the Government has not included child labor elimination and prevention strategies into the Pacific UN Development Assistance Framework.(45, 46)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor†

Program	Description
Tackling Child Labor Through Education Project (2015–2017)	European Union-funded project that seeks to enhance coordination, enforcement, and monitoring mechanisms to build the capacity of stakeholders in the implementation of policies and programs on formal and non-formal education, school retention, and access to education for out-of-school children; and to promote research and raise awareness on child labor issues.(47) Organized student leadership seminars in Labasa and Nadi to advocate positive change on child labor issues.(48)
Safety Net Project†	Program that funds rehabilitation services for female victims of commercial sexual exploitation under age 18. Receive referrals from various entities, including the Fiji Police.(49)

Table 10. Key Social Programs to Address Child Labor[†] (cont)

Program	Description
Food Voucher and Bus Fare Assistance [†]	Ministry of Education program that provides food vouchers and subsidized bus fares for families who earn less than \$7,382 as combined income, to offset the cost of education for children attending remote schools.(22, 39, 41)
Tuition-Fee Free Grant [†]	Ministry of Education began to provide a subsidized tuition fee-free grant for early childhood education centers or students attending preschool. Government allocated \$1,561,476 to all special-needs primary schools, an increase of \$267,343.(22)

[†] Program is funded by the Government of Fiji.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(12, 38)

Fiji has insufficient social programs available to address the particular needs of child victims of human trafficking and commercial sexual exploitation, especially for boys and for children in remote areas.(37, 50) NGOs provide limited support services, but these are concentrated in the capital city of Suva.(37, 40, 50)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Fiji (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography; UN CRC Optional Protocol on Armed Conflict; and the Palermo Protocol.	2013 – 2016
	Establish by law free basic public education.	2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2015 – 2016
Enforcement	Publish information on the labor inspectorate funding and the number of criminal law enforcement investigations related to the worst forms of child labor.	2015 – 2016
	Publish data on the number of calls received through the national 24-hour toll-free helpline related to child labor	2016
Coordination	Ensure that the Inter-Agency Trafficking Task Force meets regularly to address implementation of the National Plan of Action to Eliminate Trafficking in Persons and Child Trafficking.	2014 – 2016
Government Policies	Finalize and implement the National Action Plan for Child Labor and 5-year Strategic Plan for Combating Child Labor, including its worst forms.	2013 – 2016
	Integrate child labor elimination and prevention strategies into Fiji's country program framework for the Pacific UN Development Assistance Framework for the Pacific Region.	2015 – 2016
Social Programs	Increase the availability of support services for child victims of commercial sexual exploitation and human trafficking, including effective counseling and specialized shelters.	2010 – 2016

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In 2016, Gabon made a minimal advancement in efforts to eliminate the worst forms of child labor. The Committee for the Fight Against Child Trafficking established Local Vigilance committees in all nine regions, and initiated eight prosecutions against individuals for using child labor. However, children in Gabon perform dangerous tasks in domestic work and transportation. The Government lacks prohibitions against the use of children in illicit activities and does not criminally prohibit slavery or the use of children for pornographic performances. Labor inspectors lack basic resources necessary to conduct investigations, such as transportation, fuel, and office supplies. Additionally, the Government lacks a general policy to address child labor, reduced funding to the Interministerial Committee for the Fight Against Child Trafficking, and reduced financial support to social programs to address child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Gabon perform dangerous tasks in domestic work and transportation.(1-7) Table 1 provides key indicators on children’s work and education in Gabon. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	22.3 (83,073)
Attending School (%)	5 to 14	94.4
Combining Work and School (%)	7 to 14	23.3
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2016.(8)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Deuxième Enquête Démographique et de Santé au Gabon (EDSG-II) Survey, 2012.(9)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Fishing, including the production and sale of smoked fish (10)
Industry	Mining, including in sand quarries (2, 11)
	Working in brick factories (2)
Services	Domestic work (2-4, 12)
	Street vending, including cleaning market spaces at night and carrying heavy loads (1, 2, 13)
	Garbage scavenging (2)
	Work in restaurants (11)
	Working in transportation and as mechanics (2, 3, 11, 14, 15)
Categorical Worst Forms of Child Labor‡	Forced labor in markets or restaurants, handicraft shops, mining, farming, animal husbandry, fishing, domestic work, and as mechanics, each sometimes as a result of human trafficking (5, 7, 16)
	Commercial sexual exploitation sometimes as a result of human trafficking (5-7, 13, 17)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Gabon

MINIMAL ADVANCEMENT




Gabon is primarily a destination and transit country for victims of child trafficking from other countries in Central and West Africa.(3, 4, 6, 7, 13, 15, 16, 18) There is limited evidence of child trafficking occurring within Gabon, although some parents entrust their children to intermediaries who subject them to child trafficking rather than providing education and work opportunities.(7, 16, 19) There is limited information about specific activities carried out by child labor in the agriculture, industry, and service sectors.

Although the Law on General Education guarantees the right to free and compulsory education, in practice, students were often required to pay for supplies and school fees, which may be prohibitive.(15, 20-22) Rural areas have a lack of schools and teachers, and education beyond primary school is often unavailable.(2, 15, 23) Reports suggest that some children, especially girls, are sexually abused at school.(5, 11, 15, 24) Some indigenous groups and children living in remote areas do not have access to birth registration, which is required for school enrollment; out of school children are more vulnerable to child labor.(11, 20)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Gabon has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Gabon's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Article 177 of the Labor Code; Article 2 of Decree N° 0651/PR/MTEPS Establishing Individual Exceptions to the Minimum Age for Admission to Employment (25-28)
Minimum Age for Hazardous Work	Yes	18	Article 177 of the Labor Code (25, 26)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Article 177 of the Labor Code (25, 26)
Prohibition of Forced Labor	No		Article 4 of the Labor Code; Articles 3, 11–13, and 20 of Law N° 09/04 Preventing and Fighting Against Child Trafficking (25, 29)
Prohibition of Child Trafficking	Yes		Articles 3, 11–14, and 20 of Law N° 09/04 Preventing and Fighting Against Child Trafficking; Decree N° 0031/PR/MTEEF on Children's Work; Article 278 bis of the Penal Code (29-32)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 260, 261, and 263 of the Penal Code(32)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Military Recruitment			
State Compulsory	No*		

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
State Voluntary	Yes	20	Act N° 004/98 (33)
Non-State Compulsory	No		
Compulsory Education Age	Yes	16	Article 1 of the Constitution; Article 2 of Act N° 21/2011 on General Education; Article 344.8 of the Penal Code (22, 32, 34)
Free Public Education	Yes		Articles 1.18 and 1.19 of the Constitution; Article 2 of Act N° 21/2011 on General Education (22, 34)

* No conscription (33, 35)

Article 2 of Decree N° 0651/PR/MTEPS Establishing Individual Exceptions to the Minimum Age for Admission to Employment permits children under age 16 to perform light work with parental permission. However, it does not set a minimum age for light work or include a list specifying the kinds of light work allowed.(28, 36)

Laws related to forced labor are not sufficient, as slavery and child trafficking for the purpose of commercial sexual exploitation are not criminally prohibited.(10, 25, 29, 32) The law also does not sufficiently prohibit commercial sexual exploitation, as the production of pornography and procuring or offering children for pornographic performances are not criminally prohibited.(32) Research did not uncover a public version of Act N° 004/98 governing voluntary service in the State armed forces for review.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Employment (MLE)	Receive, investigate, and address child labor complaints through its inspectors.(20) Refer cases of child trafficking to the Ministry of the Interior's Police Force for investigation and the Ministry of Family and Social Development (MFSD) for social services.(2)
Ministry of Family and Social Development (MFSD)	Provide social services and assistance to vulnerable children; assist in repatriation or resettlement processes for victims of child trafficking; operate shelters for victims of child trafficking.(2, 7) Maintain a helpline for victims of child trafficking and reinsert victims of child trafficking and exploitation with their families.(37, 38)
Ministry of the Interior's Police Force	Enforce laws, investigate child labor violations, and refer cases to the Ministry of Justice and Human Rights for prosecution.(2, 20, 39)
Ministry of Justice and Human Rights	Enforce child labor laws by prosecuting child labor complaints.(2, 20) Assist in supporting victims of child trafficking while prosecutors and investigators prepare their case.(40)
Local Vigilance Committees	Administered by the Interministerial Committee for the Fight Against Child Trafficking (CNSLTE). Monitor potential cases of child exploitation and human trafficking at the local level. Identify, intercept, and provide assistance to children at risk of child trafficking.(15, 39, 41, 42)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Gabon took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$0 (43)	Unknown* (2)
Number of Labor Inspectors	Unknown* (43)	Unknown* (44)
Number of Child Labor Dedicated Inspectors	Unknown	10 (44)
Inspectorate Authorized to Assess Penalties	No (43)	No (2, 25)
Training for Labor Inspectors		

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Initial Training for New Employees	Yes (45)	Yes (44)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (43)	Yes (2)
Number of Labor Inspections	24 (43)	Unknown* (2)
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	24 (43)	15 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	10 (43)	0 (2)
Number of Penalties Imposed that Were Collected	Unknown (43)	0 (2)
Routine Inspections Conducted	Yes (43)	Unknown (44)
Routine Inspections Targeted	Yes (43)	N/A
Unannounced Inspections Permitted	Yes (25, 46)	Yes (2)
Unannounced Inspections Conducted	Yes (43)	No (2)
Complaint Mechanism Exists	Yes (43)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (43)	Yes (2)

* The Government does not publish this information.

In principle, the Ministry of Labor and Employment (MLE) sends newly hired labor inspectors to Cameroon for a one-time training at the Regional African Center for Administration Work, but this has not happened since 2014 and no new labor inspectors were recruited during the reporting period.(44) The number of labor inspectors is insufficient for the size of Gabon's workforce, which includes over 674,000 workers.(47) According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Gabon should employ roughly 45 inspectors.(47-49) Inspectors lack the resources necessary to conduct inspections, including transportation, fuel, and office supplies, and there is a lack of enforcement in the informal sector.(2, 20) Although inspectors have the authority to proactively plan inspections, they did not do so in 2016.(2) Additionally, labor inspectors in Gabon are tasked with reconciling labor disputes, which may detract from their primary duties of inspection and monitoring.(50)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Gabon took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Yes (44)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	No (7, 10)	Yes (2, 40)
Number of Investigations	15 (7, 51)	Unknown*(2, 40)
Number of Violations Found	Unknown	Unknown (2)
Number of Prosecutions Initiated	11 (7, 51)	8 (2)
Number of Convictions	0 (7)	0 (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10, 43, 46)	Yes (2)

* The Government does not publish this information.

Like labor inspectors, investigators lack resources such as transportation, fuel, and office supplies.(2) Additionally, the prosecution of child trafficking cases can be difficult since the Criminal Court only meets twice per year, has a backlog of cases, and is not mandated to prioritize cases involving children.(7, 17) The 11 prosecutions from 2015 are still pending.(44)

In addition, it is not clear how many cases of exploitative child labor were identified as a result of calls made to the MLE's hotline for child trafficking victims.(16, 37, 38)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established a mechanism to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Interministerial Committee for the Fight Against Child Trafficking (CNSLTE)	Coordinate national efforts against child trafficking and other worst forms of child labor. Led by the MLE and includes representatives from four other ministries.(2) Operate a hotline for victims of child trafficking, maintain provincial offices and centers for child trafficking victims, remove children from exploitative labor situations, provide social services, and repatriate victims when appropriate.(2, 7, 15, 16, 19, 30, 37) In 2016, established Local Vigilance committees in all nine regions, assisted in the prosecution of individuals for using child labor.(2, 52)
National Observatory for Children's Rights	Coordinate the implementation of the Convention on the Rights of the Child, including the promotion of children's right to education and protection against all forms of exploitation and abuse.(15, 53)

In 2016, budget constraints and a lack of communication between ministries limited the ability of the CNSLTE to effectively coordinate government actions and collect data. Research indicates that members of the Interministerial Committee for the Fight Against Child Trafficking (CNSLTE) occasionally use personal funds to assist victims due to a lack of resources.(10, 43)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
CNSLTE's 2016-2017 Plan of Action†	Aims to address the worst forms of child labor with a focus on increasing prosecution of offenders and shortening the length of time victims spend at shelters.(44) In 2016, held two awareness raising sessions about child trafficking.(40)
National Manual of Procedures for the Care of Child Victims of Trafficking	Establishes a series of procedures to return victims of child trafficking to their country of origin or facilitate their integration into Gabon.(19) Disseminated by the CNSLTE.(19)

† Policy was approved during the reporting period.

In 2016, research found no evidence of a general policy to address child labor. Although the Government of Gabon drafted separate bilateral agreements with Benin, Cameroon, Guinea, Mali, Nigeria, and Togo to combat child trafficking, the agreements have not been signed by all parties.(3, 11, 15, 21, 54) The Government has not included child labor elimination and prevention strategies into the UNDAF (2012–2016), Gabon Emergent Strategic Plan (2011–2016), National Youth Policy of Gabon, and the Education Policy (2010–2020).(53, 55-57) Research was unable to determine whether activities were undertaken to implement the National Manual of Procedures for the Care of Child Victims of Trafficking or the Gabon Emergent Strategic Plan (2011–2016).

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

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Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
Shelters for Children in Need [†]	Shelters in Libreville and Port-Gentil supported by the Government and civil society organizations that provide social services to victims of child labor, child trafficking, and other vulnerable children.(7, 14, 16, 18, 37) The Government provides in-kind support, such as social workers, medical supplies, food, and office supplies. In 2016, provided services to at least 15 children and repatriated 4 victims.(2)
Decent Work Country Program (2013–2016)	Promotes decent work conditions with a focus on creating job opportunities for youth and promoting social protection.(58)

[†] Program is funded by the Government of Gabon.

‡The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(10, 40, 58)

Although Gabon has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem.(2) Research indicates that shelter space is insufficient to accommodate all victims and funding for Government-run shelters decreased for the third consecutive year. The Government also decreased funding for NGOs providing social services to human trafficking victims and other vulnerable children.(2, 7, 17, 40) The Government also failed to provide funding to UNICEF as part of its Country Program Action Plan and research was unable to determine whether activities were undertaken to implement the Decent Work Country Program (2013–2016) during the reporting period.(59)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Gabon (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish criminal prohibitions for slavery and child trafficking for the purpose of commercial sexual exploitation.	2015 – 2016
	Establish criminal prohibitions for the production of child pornography, and procuring or offering children in pornographic performances.	2015 – 2016
	Ensure that the legal framework prohibits the use of children in illicit activities, including both the production and trafficking of drugs.	2009 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Ensure that the legal framework for light work establishes a minimum age no younger than 13, determines the activities considered light work, and specifies the conditions under which light work may be undertaken.	2013 – 2016
	Make publicly available the law governing voluntary service in the State armed forces.	2016
Enforcement	Publish information on the funding level for the labor inspectorate and ensure that inspectors and investigators receive adequate funding and resources to carry out inspections and investigations.	2009 – 2016
	Strengthen the labor inspectorate by authorizing inspectors to assess penalties, and conducting routine and unannounced inspections.	2014 – 2016
	Publish information on the enforcement of child labor laws, including the number and type of inspections conducted, number of investigations conducted, and violations found.	2009 – 2016
	Ensure that both civil and criminal violations of child labor laws are punished in accordance with the law.	2016
	Significantly increase the number of labor inspectors in accordance with the ILO recommendation and ensure that labor inspectors are able to carry out their primary duties of inspection and monitoring throughout the country, including in rural areas.	2009 – 2016
	Establish a mechanism to log all calls to the MLE’s child protection hotline and track cases of child labor for referral to law enforcement or social services providers.	2014 – 2016
Coordination	Ensure that the CNSLTE has sufficient funds to carry out its mandate, including improving communication and coordination among ministries.	2013 – 2016
Government Policies	Adopt a policy that addresses all relevant forms of child labor, such as domestic work, work in transportation, and commercial sexual exploitation.	2015 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

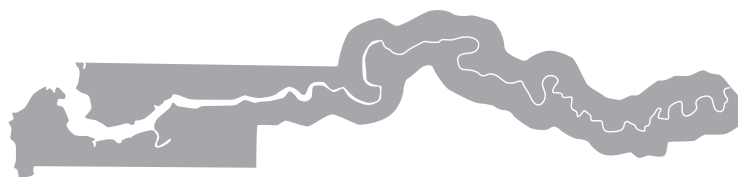
Area	Suggested Action	Year(s) Suggested
Government Policies	Sign agreements with origin countries to combat child trafficking.	2014 – 2016
	Integrate child labor elimination and prevention strategies into existing policies, and ensure policies are implemented as planned.	2014 – 2016
Social Programs	Conduct research to determine the specific activities carried out by children working in agriculture, industry, and the service sector to inform policies and programs.	2014 – 2016
	Ensure children have access to education by eliminating school fees, increasing the number of teachers and schools in rural areas, and ensuring schools are free from sexual abuse. Make additional efforts to provide all children with birth registration.	2010 – 2016
	Expand existing programs to address the scope of the child labor problem and ensure the Government continues to provide adequate support.	2010 – 2016

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In 2016, The Gambia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government launched the Child Protection Strategy that includes actions to address the worst forms of child labor. In addition, the Child Protection Alliance trained government officials on the United Nations



Convention on the Rights of the Child. The Gambia Tourism Board continued to educate the public about child sex tourism and the consequences of violating the Code of Conduct for the Protection of Children and the Tourism Act. However, children in The Gambia continue to engage in the worst forms of child labor, including in commercial sexual exploitation and forced begging. Gaps in the law remain, including a need to increase the compulsory education age to the minimum age for work. In addition, labor law and criminal law enforcement efforts are limited.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in The Gambia engage in the worst forms of child labor, including in commercial sexual exploitation and forced begging.(1-4) Table 1 provides key indicators on children’s work and education in The Gambia.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	36.4 (180,954)
Attending School (%)	5 to 14	65.7
Combining Work and School (%)	7 to 14	29.6
Primary Completion Rate (%)		70.5

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2015.(5)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from MICS3 Survey, 2005–2006.(6)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including protecting crops by chasing animals (1, 7)
Industry	Working in carpentry, masonry, sewing, plumbing, and in metal welding workshops† (1, 8, 9)
Services	Domestic work (1, 2, 4, 8)
	Street work, including begging and vending (1, 4, 10-12)
	Scavenging for scrap metal and jewelry at dump sites (1)
	Working as taxi and bus attendants (1, 4)
	Working as auto mechanics† (1, 9, 10)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 2, 12-15)
	Forced begging by Koranic teachers (1-3, 7)
	Forced labor in domestic work and street vending, each sometimes as a result of human trafficking (1-3)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

In The Gambia, children are internally trafficked and subjected to commercial sexual exploitation, forced labor, and domestic work. Girls and boys from West African countries, including Benin, Ghana, Guinea, Guinea-Bissau, Liberia, Nigeria, Senegal, and Sierra Leone are trafficked for commercial sexual exploitation in The Gambia.(3) European tourists also subject children to commercial sexual exploitation in brothels and motels in tourist areas.(3, 8, 13, 16) In The Gambia, it is a common practice to send boys to receive education from Koranic teachers, *marabouts*. Some Koranic students, or *almudus*,

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are forced by their teachers to beg in the streets for money and food.(3, 8, 13, 17) Some *marabouts* also force students to sell items on the street and in rural areas or to work in agriculture for long hours.(8)

Article 30 of the Constitution mandates free compulsory education; however, families are often required to buy books and uniforms for their children and contribute to the school fund, which is used to pay for school activities. Absence from school due to unpaid fees increases children’s vulnerability to the worst forms of child labor.(18, 19) In addition, a report indicates a cultural preference to educate boys, which may cause girls to be more vulnerable to the worst forms of child labor. To address this issue, the Government waived school fees for girls.(17, 18) During the reporting year, the Government finalized a new education policy that provides additional technical and vocational education and makes school more affordable by abolishing basic and secondary education fees. The policy also emphasized the need to increase enrollment of girls in school.(20, 21) The Government has not conducted research to determine the activities carried out by children, including in agriculture and domestic work, to inform policies and social programs.

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Gambia has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Gambia’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Article 43 of the Children’s Act (22)
Minimum Age for Hazardous Work	Yes	18	Article 44 of the Children’s Act; Article 46 of the Labor Act (22, 23)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 44 and 45 of the Children’s Act (22)
Prohibition of Forced Labor	Yes		Article 20 of the Constitution; Article 41 of the Children’s Act (19, 22)
Prohibition of Child Trafficking	Yes		Articles 30 and 39 of the Children’s Act; Articles 28 and 56 of the Trafficking in Persons Act; Article 13 of the Tourism Offenses Act (22, 24, 25)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 26 and 27, 29–32, and 34 of the Children’s Act; Articles 7–9 of the Tourism Offenses Act (22, 25)
Prohibition of Using Children in Illicit Activities	Yes		Articles 31, 36, and 37 of the Children’s Act (22)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		Article 59 of the Children’s Act (22)
State Voluntary	Yes	18	Article 59 of the Children’s Act (22)
Non-state Compulsory	Yes	18	Article 31(c) of the Children’s Act (22)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Compulsory Education Age	No	12	Article 30 of the Constitution (19)
Free Public Education	Yes		Article 18 of the Children's Act (22)

* No conscription (26)

In The Gambia, children are required to attend school until age 12, at which point they are permitted under Section 51 of the Children's Act to work as an apprentice in the informal sector. This requirement makes children ages 13 to 15 that are not engaged in apprenticeships in the informal sector particularly vulnerable to the worst forms of child labor.(18, 19, 27) Section 43 of the Children's Act, however, permits children at age 16 to do light work, or work that does not jeopardize the health or safety of the child and does not interfere with school attendance.(22) A report indicates that the minimum penalties for trafficking violations are not harsh enough to deter perpetrators.(4)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Social Welfare (DSW)	Combat forced child labor and coordinate the handling of trafficking victims, working closely with social welfare officers in police units.(8, 28) Monitor, through the operation of five Neighborhood Watch Groups, suspected cases of child abuse or child commercial sexual exploitation in urban areas near tourist sites. Operate a 24-hour hotline to address human trafficking and maintain a database of individuals suspected of pedophilia or child trafficking, in collaboration with The Gambia Tourism Board.(3) Maintain an electronic database that contains information on cases requiring child protection, including those involving labor and human trafficking violations.(3)
Child Protection Alliance (CPA)	Promote children's rights and child protection services. Raise awareness about child exploitation.(29-31) Include Government departments, civil society organizations, UN agencies, NGOs, child and youth organizations, and bilateral institutions.(30). Train journalists about child sex tourism and government officials on the UN Convention on the Rights of the Child.(32, 33)
National Agency Against Trafficking in Persons (NAATIP)	Investigate suspected cases of trafficking. Includes investigators, police, members of the National Intelligence Agency, and five prosecutors.(34) Gather evidence for NAATIP Director, who can recommend that the NAATIP prosecutor file charges for trafficking violations.(34)
The Gambia Tourism Board	Combat commercial sexual exploitation of children in tourist areas.(8). Educate the public about child sex tourism and the consequences for violating the Code of Conduct for the Protection of Children and the Tourism Act.(35)
Tourism Security Unit	Prevent unaccompanied children from entering tourist areas and patrol tourist areas for child labor and criminal violations, such as commercial sexual exploitation and human trafficking. Has a dedicated child protection division.(8, 28)
Gambia Police Force Child Welfare Unit	Oversee all situations involving children's welfare.(31) Work with the CPA, DSW, NGOs, and other agencies to assess and identify children engaged in the worst forms of child labor.(10)
Child Protection Committees	Raise awareness and report cases of labor issues, including child labor, to the authorities. DSW operates 15 Child Protection Committees across the country.(1, 10, 28, 36)
Neighborhood Watch Groups	Monitor neighborhoods for child exploitation. Maintain five existing groups established by DSW in urban areas near tourist resorts.(28) Receive allowances and cell phone credit for members.(28)

Labor Law Enforcement

In 2016, labor law enforcement agencies in The Gambia did not take actions to combat child labor, including its worst forms (Table 6).

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Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (1)	Unknown* (37)
Number of Labor Inspectors	4 (1)	5 (37)
Inspectorate Authorized to Assess Penalties	Unknown (1)	Yes (37)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown (1)	Yes (37)
Training on New Laws Related to Child Labor	Unknown (1)	Unknown* (37)
Refresher Courses Provided	Unknown (1)	Unknown* (37)
Number of Labor Inspections	Unknown	Unknown* (37)
Number Conducted at Worksite	Unknown	Unknown* (37)
Number Conducted by Desk Reviews	Unknown	Unknown* (37)
Number of Child Labor Violations Found	Unknown	Unknown* (37)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown* (37)
Number of Penalties Imposed that Were Collected	Unknown	Unknown* (37)
Routine Inspections Conducted	Unknown	Yes (37)
Routine Inspections Targeted	Unknown	No (37)
Unannounced Inspections Permitted	Yes (1)	Yes (37)
Unannounced Inspections Conducted	Yes (1)	Yes (37)
Complaint Mechanism Exists	No (28)	Yes (28, 37)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (28)	Yes (37)

* The Government does not publish this information.

The number of labor inspectors is insufficient for the size of Gambia's workforce, which includes over 700,000 workers. According to the ILO recommendation of 1 inspector for every 40,000 workers in less-developed economies, The Gambia should employ about 19 inspectors.(38-40) A source indicates that inadequate transportation and a lack of fuel presented a challenge for inspectors to carry out their duties.(1, 8) Child laborers found during labor inspections are referred to the Department of Social Welfare (DSW).(28)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in The Gambia took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Yes (37)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Unknown (37)
Refresher Courses Provided	Yes (1)	Yes (37)
Number of Investigations	Unknown	2 (37)
Number of Violations Found	3	Unknown* (37)
Number of Prosecutions Initiated	19 (1)	Unknown* (37)
Number of Convictions	Unknown	Unknown* (37)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown	Yes (37)

* The Government does not publish this information.

During the reporting year, government officials attended training sessions sponsored by UNODC. The sessions focused on teaching attendees about useful tools to dismantle the efforts of criminal organizations that benefit from global criminal activities such as child trafficking.(41)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Department of Social Welfare (DSW)	Coordinate Government efforts to combat the worst forms of child labor.(8)
National Agency Against Trafficking in Persons (NAATIP)	Coordinate, administer, and monitor the implementation of the Trafficking in Persons Act and share information among law enforcement agencies. Led by the National Agency Against Trafficking in Persons, meetings are convened monthly.(8, 28) Although the funding was unknown during the year, the investigators revealed the funding was insufficient to cover training costs and there continues to be inadequate transportation and supplies to conduct inspections.(37)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[†]

Policy	Description
Child Protection Strategy (2016–2020)*	Outlines strategies to improve child protection, including addressing the worst forms of child labor by increasing awareness and strengthening coordination among government agencies.(42)
Code of Conduct of The Gambia Tourism Authority for the Protection of Children	Raises awareness of commercial sexual exploitation of children in the tourism industry and among tourists.(8, 43) At the beginning of the annual peak tourism season, trains new hotel staff on the Code.(8)
National Trafficking In Persons Action Plan (2012–2016)	Establishes a plan to combat human trafficking and NAATIP is responsible for implementation of the plan.(28)

* Policy was launched during the reporting period.

† The Government had other policies that may have addressed child labor issues or had an impact on child labor. (44, 45)

In 2016, the Government passed a new Education Sector Policy, but child labor elimination and prevention strategies do not appear to be integrated into the policy. Although the Government has adopted the Trafficking MOU with Senegal, research found no evidence of a policy on other worst forms of child labor.(1) A report indicates that The Gambia has a weak policy framework and limited coordination capacity to provide child protection services to children who are abused and exploited.(12)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
Combating Child Sex Tourism Project	CPA project, funded by ECPAT Netherlands, that raises awareness about commercial sexual exploitation of children and the Tourism Offences Act and the Code of Conduct among Tourism Security Unit personnel, hoteliers, travel agencies, and other tourism stakeholders.(1, 46)
Results for Education Achievement and Development (READ)	\$8.5 million World Bank-funded project that focuses on increasing access to basic education and improving the quality of education in lower basic schools.(47)
Street Children Center [†]	DSW, with support from international organizations, foreign NGOs, and local businesses, runs a drop-in center in Talinding Kunjang that provides medical care, food, and counseling to street children, including human trafficking victims and <i>almudus</i> .(8, 28, 36) Works to prevent children from returning to street begging.(17, 48)
Conditional Cash Transfers to the Majaalist	Ministry of Education program gives <i>marabouts</i> food rations and approximately \$2.56 monthly for each student if the <i>marabouts</i> do not force students to beg.(28) Provides teachers for English, mathematics, and science to Koranic schools. More than 1,000 children have benefited from the program.(1, 8, 49)

† Program is funded by the Government of The Gambia.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(50-52)

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In 2016, the Government participated in a “Smart Initiative” project that focuses on using technology to improve access to education.(53)

Although The Gambia has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem to reach all children working in agriculture and domestic work and those vulnerable to human trafficking, commercial sexual exploitation, and street work.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in The Gambia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Adopt legislation that increases the age of compulsory education to 16 so that it is commensurate with the minimum age for work.	2010 – 2016
	Ensure penalties for trafficking violations are harsh enough to deter violations.	2016
Enforcement	Employ enough labor inspectors to provide sufficient coverage for the workforce.	2016
	Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2016
	Provide labor law enforcement with sufficient staffing and financial resources to conduct inspections.	2013 – 2016
	Publish information about the labor inspectorate’s funding, training related to child labor, inspections, violations found, and penalties collected.	2012 – 2016
	Publish information about the criminal law enforcement violations found, prosecutions, and convictions concerning the worst forms of child labor.	2015 – 2016
Coordination	Ensure the NAATIP has sufficient funding to provide training on trafficking in persons and other worst forms of child labor.	2012 – 2016
Government Policies	Ensure that child labor elimination and prevention strategies are integrated into the Education Policy.	2015 – 2016
	Adopt a policy that addresses all relevant worst forms of child labor, such as commercial sexual exploitation.	2015 – 2016
Social Programs	Expand existing programs to address child trafficking, commercial sexual exploitation of children, and children working in the street.	2010 – 2016
	Conduct research to determine the activities carried out by children, including in agriculture and domestic work, to inform policies and social programs.	2009 – 2016
	Ensure that children can complete primary school by subsidizing or defraying the cost of books, uniforms, and other fees.	2010 – 2016
	Expand existing programs to address children working in agriculture and domestic work.	2015 – 2016

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- For analytical purposes, the Development Policy and Analysis Division (DPAD) of the Department of Economic and Social Affairs of the United Nations Secretariat (UN/DESA) classifies all countries of the world into one of three broad categories: developed economies, economies in transition, and developing countries. The composition of these groupings is intended to reflect basic economic country conditions. Several countries (in particular the economies in transition) have characteristics that could place them in more than one category; however, for purposes of analysis, the groupings have been made mutually exclusive. The list of the least developed countries is decided upon by the United Nations Economic and Social Council and, ultimately, by the General Assembly, on the basis of recommendations made by the Committee for Development Policy. The basic criteria for inclusion require that certain thresholds be met with regard to per capita GNI, a human assets index and an economic vulnerability index. For the purposes of the Findings on the Worst Forms of Child Labor Report, "developed economies" equate to the ILO's classification of "industrial market economies," "economies in transition" to "transition economies," "developing countries" to "industrializing economies," and "the least developed countries" equates to "less developed countries." For countries that appear on both "developing countries" and "least developed countries" lists, they will be considered "least developed countries" for the purpose of calculating a "sufficient number" of labor inspectors.
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In 2016, Georgia made a minimal advancement in efforts to eliminate the worst forms of child labor. Despite new initiatives to address child labor, Georgia is receiving this assessment because it continued to implement a law that delayed advancement in eliminating the worst forms of child labor. The Government failed to remedy the abolition of its labor inspectorate, caused by its adoption of the 2006 Labor Code. Since that time, the Government has lacked a functioning labor inspection mechanism to monitor, inspect, and enforce child labor laws. Otherwise, the Government made efforts by publishing a National Child Labor Survey and both enacting and drafting legislation intended to improve ease of access to social services for children living and working on the street. Children in Georgia perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including forced begging. The Government lacks a coordinating mechanism to address child labor. In addition, the compulsory education age left 15-year-old children vulnerable to the worst forms of child labor, as they are not required to be in school, but are not legally permitted to work full-time.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Georgia perform dangerous tasks in agriculture.(1-7) Children also engage in the worst forms of child labor, including in forced begging.(5-7) In 2016, the National Statistics Office of Georgia (GEOSTAT) published the results of a National Child Labor Survey conducted with ILO support in 2015.(8) Table 1 provides key indicators on children’s work and education in Georgia.

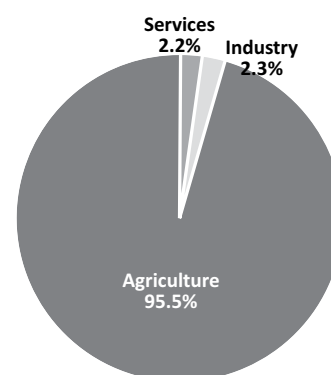
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	2.9 (13,547)
Attending School (%)	5 to 14	96.9
Combining Work and School (%)	7 to 14	3.7
Primary Completion Rate (%)		120.7

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(9)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from National Child Labor Survey, 2015.(10)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, activities unknown (1, 4, 11)
Services	Street work, including begging and collecting scrap metal (11-13)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (5-7, 14)
	Forced begging, sometimes as a result of human trafficking (5-7, 14)

[‡] Child labor understood as the worst forms of child labor per se under Article 3(a)–(c) of ILO C. 182.

Although estimates regarding the ethnicity and origin of children working on the street vary widely, sources report that children from Roma and Azerbaijani Kurd ethnic minorities make up a significant proportion of these children.(15) NGOs note that a lack of current data on the number and circumstances of children working on the street hinders effective targeting of social services.(15)




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II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Georgia has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Georgia's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Article 4 of the Labor Code of Georgia (16)
Minimum Age for Hazardous Work	Yes	18	Article 4 of the Labor Code of Georgia (16, 17)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Article 30 of the Constitution of Georgia; Articles 143-i, 143-ii, and 143-iii of the Criminal Code of Georgia; Law of Georgia on Combating Human Trafficking (18-20)
Prohibition of Child Trafficking	Yes		Articles 143, 143-i, 143-ii, 143-iii, and 172 of the Criminal Code of Georgia; Law of Georgia on Combating Human Trafficking (19, 20)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 171, 253, 255, 255-1, and 255-2 of the Criminal Code of Georgia (20-22)
Prohibition of Using Children in Illicit Activities	Yes		Article 171 of the Criminal Code of Georgia (20, 21)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Articles 9 and 21 of the Law of Georgia on Military Duty and Military Service (23, 24)
State Voluntary	Yes	18	Article 10 of the Law of Georgia on Military Duty and Military Service (22-25)
Non-state Compulsory	No		
Compulsory Education Age	Yes	15 [‡]	Articles 2 and 9 of the Law of Georgia on General Education (26, 27)
Free Public Education	Yes		Article 22 of the Law of Georgia on General Education (26)

[‡] Age calculated based on available information (26, 27)

In June 2016, Parliament adopted a legislative package proposed by the Interagency Coordination Council on Combating Trafficking in Persons, which amended 10 different laws.(28) Among other issues, these legislative changes expanded the child protection referral mechanism by establishing a legal duty to report suspected child trafficking to the police and Social Service Agency for a broader list of individuals and institutions.(14) The legislation also improved access to the identification cards necessary for obtaining government assistance for children living and working on the street.(28) Despite this effort, the identity card requirement remains a significant barrier to street children's access to social services. As a result, in 2016, the Government drafted legislation that would eliminate this requirement.(28)

The compulsory education age leaves 15-year-old children vulnerable to the worst forms of child labor because they are not required to be in school but are not legally permitted to work full time. In addition, although Article 4 of the Labor Code establishes age 14 as the minimum age for participation in work that is not harmful to the moral, physical, and mental development of the child, the law does not specify specific activities in which children under the legal working age are allowed to engage or the hours they are allowed to work.(16, 29)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Health, and Social Affairs (MoLHSA)	Oversee child welfare issues and address labor matters.(21) Receive complaints through the Child Protection and Social Programs sub-department, and refer complaints of child labor violations to law enforcement agencies for investigation.(30)
Department of Labor Inspection within MoLHSA	Pilot program designed to enforce occupational safety and health laws, and prohibitions of forced labor and human trafficking.(11)
Department of Labor and Employment Policy within MoLHSA	Address labor and employment issues, and revise existing laws and policies to be in accordance with international standards.(27)
Social Service Agency within MoLHSA	Administer social benefits such as targeted social assistance, health care, and vouchers for day care. Employ social service agents who identify qualifying families for services and social workers who oversee child protection and family welfare cases.(11)
Ministry of Internal Affairs (MoIA)	Enforce criminal laws related to child labor and child trafficking, and investigate NGO and civilian reports of potential child labor violations.(2, 3, 21)
Central Criminal Police Department within the MoIA	Lead criminal investigations of trafficking in persons, including the trafficking of children, through the Division for Combating Illicit Trafficking of Drugs, Human Trafficking, and Irregular Migration.(30) Identify human traffickers and systematize data on traffickers across various agencies through the Information-Analytical Department.(31) Investigate possible human trafficking schemes by deploying teams of two law enforcement officials in Mobile Units to investigate companies offering suspicious work opportunities abroad.(30, 32)
District Police Units within the MoIA	Collect information on minors within each jurisdiction and visit minors' families to inform them of their rights. Conduct classes for school teachers on children's rights.(33)
Prosecutor General's Office within the Ministry of Justice	Investigate large-scale cases of child trafficking.(3)
Joint Child Referral Mechanism	Ensure interagency coordination of the enforcement of child labor laws and enumerate the procedures for referring children subject to any form of violence, including labor exploitation, to child protective services. (2, 30) Once any ministry identifies a case of child exploitation, the MoIA registers the case. MoLHSA then assesses the child's condition, provides shelter and rehabilitation services to the child as needed, and monitors the child's case.(3)

In March 2015, the Prime Minister signed Decree No. 81, which established a Department of Labor Inspection within the Ministry of Labor, Health, and Social Affairs (MoLHSA). In April 2015, MoLHSA issued a statute establishing the competencies of the Department of Labor Inspection.(34-36) However, Article 3 of the Law on Oversight of Entrepreneurial Activity states that any government agency charged with oversight of private enterprise requires a court order to enter the premises of a place of business or even review documents from the employer.(37) This provision obstructs the Department of Labor Inspection from enforcing Georgia's labor laws through inspections, in accordance with international norms.(38) Although labor monitors are permitted to enter businesses without the permission of the employer if there are grounds to believe that monitoring may uncover a case of human trafficking, monitors remain unable to inspect for violations of other provisions of the labor code, including laws on child labor.(39) In addition, labor monitors are unable to impose sanctions or assess penalties for violations found.(38)

Labor Law Enforcement

In 2016, Georgia lacked a labor inspectorate to enforce laws on child labor, including its worst forms.(11)

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However, the Department of Labor Inspection, a pilot initiative established in 2015 to monitor compliance with occupational safety and health laws and laws prohibiting forced labor and human trafficking, continued to function during the reporting period.(11, 28, 34) The pilot program is an initial step toward establishing a labor inspectorate, intended to build the capacity and credibility of the inspectorate when the inspectorate is fully established.(40) Currently, except in cases of suspected human trafficking or forced labor violations, the Department of Labor Inspection is only able to conduct monitoring of the 150 companies that volunteered to participate in the pilot program and must give companies 5 days’ notice prior to a monitoring visit.(34, 41, 42) In addition, a source reported that because the State Monitoring Program does not have sanctioning authority and its findings are confidential, the monitoring has little impact on workers.(38)

During the reporting period, the Department of Labor Inspection received a budget of \$230,000 and employed 25 labor monitors. Monitors conducted 225 monitoring site visits, including 7 unannounced inspections, and found no violations of child labor laws.(28) Inspectors received training from the ILO. The Department for Inspection of Labor Conditions purchased specialized equipment to test for compliance with occupational safety and health standards.(28)

In 2016, the Social Service Agency under MoLHSA provided services to 710 children found living or working on the street.(28) Of these children, 90 were provided with personal documentation, and others were enrolled in the education system, put in the care of social services, or enrolled in social programs.(13)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Georgia took actions to combat the worst forms of child labor (Table 6).

Table 6. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (11)	Yes (28)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (11)	Yes (28)
Refresher Courses Provided	Yes (11)	Yes (28)
Number of Investigations	2 (11)	2 (28)
Number of Violations Found	2 (11)	0 (28)
Number of Prosecutions Initiated	3 (11)	0 (28)
Number of Convictions	1 (15)	5 (28)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (28)

Training on trafficking in persons and combating child exploitation was conducted for investigators, prosecutors, and judges, including training on combating child trafficking and online sexual exploitation of children.(28, 43)

Research found that the police have, in some instances, refused to investigate cases of forced begging raised by NGOs, claiming that street begging could not be considered a violation of children’s rights under the current legislation.(15)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established coordinating mechanisms to combat human trafficking and promote child welfare, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 7).

Table 7. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Child Rights Council*	Monitor implementation of the Child Rights chapter of the National Human Rights Action Plan, which is based on provisions of the UN CRC. Replace the Inter-Ministerial Coordination Council on Childcare, which was disbanded upon completion of the Action Plan for Child Welfare and Protection (2012–2015).(28)
Interagency Anti-Trafficking Coordination Council for the Implementation of Measures Against Human Trafficking	Coordinate government efforts against trafficking in persons and children, including efforts to protect and rehabilitate victims.(3) Refer child victims to shelters to receive social services.(2) Chaired by the Minister of Justice and comprises representatives from state agencies and non-state entities.(30) In 2016, approved the National Action Plan on Trafficking in Persons for 2017 and opened competition for NGOs to propose a plan for identifying and mapping the population of children living and working on the street.(14)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 8).

Table 8. Key Policies Related to Child Labor

Policy	Description
National Human Rights Strategy (2014–2020)	Identifies human rights priorities, including the protection of child rights. Led to the adoption of a National Action Plan on the Protection of Human Rights 2014–2016, which includes objectives to strengthen the provision of services to vulnerable children, such as those living and working on the streets, and requires implementation of ILO C. 138 and C. 182.(44, 45)
Anti-Trafficking Action Plan (2015–2016)	Supports implementation of activities to address human trafficking, including the exploitation of children. Focuses on identifying street children and including them in formal education, as well as ensuring that shelters for human trafficking victims properly accommodate child victims.(46)
EU Association Agreement and Association Agenda (2014–2016)	Outlines a framework for cooperation between Georgia and the EU. Requires Georgia to institute a number of initiatives to protect children's rights, including addressing child poverty, providing adequate resources to the Public Defender to undertake work for children, and focusing on measures to protect children against all forms of violence.(3, 47)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 9).

Table 9. Key Social Programs to Address Child Labor

Program	Description
Global Research on Child Labor Measurement and Policy Development (MAP)	USDOL-funded research project implemented by the ILO in 10 countries. Supported the National Statistics Office of Georgia (GEOSTAT) in conducting a National Child Labor Survey, the results of which were published in 2016.(48) For additional information on USDOL's work, please see our Web site .
Improved Compliance With Labor Laws in the Democratic Republic of Georgia	\$2 million USDOL-funded grant implemented by the ILO to work with the Government to improve its ability to enforce labor laws, including child labor laws, and adhere to international labor standards.(43) Key objectives of the project include supporting the establishment of effective labor law enforcement mechanisms in Georgia through labor inspection and promoting effective tripartite cooperation.(49)
Targeted Social Assistance Program and Child Benefit Program†	Social Service Agency-administered social assistance programs designed to eliminate poverty, especially child poverty. The Child Benefit Program is intended to halve extreme poverty among children, and covers about a quarter of the most vulnerable families with children.(50)
Social Rehabilitation and Childcare Program†	Government program, with a 2016 budget of \$9.6 million, that provides assistance to children at high risk of abandonment and children with disabilities; also places abandoned children in appropriate care.(3, 11, 28)
State Fund for Protection and Assistance of (Statutory) Victims of Human Trafficking†	MoLHSA program to protect, assist, and rehabilitate trafficking and domestic violence victims, including minors.(3, 51) Implements the Government's Rehabilitation and Reintegration Strategy, which includes operating trafficking shelters in Batumi and Tbilisi.(2, 52) In 2016, received a total budget of \$2.75 million.(11)

Table 9. Key Social Programs to Address Child Labor (cont)

Program	Description
Education-Focused Programs for Vulnerable Children	The Ministry of Education and Science funds multiple programs to promote the inclusion of vulnerable children in education. Initiatives include a program designed to increase the school participation of street children, victims of forced begging, and children who are seasonal agricultural workers; a program to increase the number of Georgian language teachers in communities with large ethnic minority populations; and a program to distribute free textbooks to public school students.(11, 30, 42, 53)
UNICEF Country Program (2016–2020)	Joint effort by UNICEF and the Government of Georgia to improve social inclusion of the most vulnerable children.(54)

† Program is funded by the Government of Georgia.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Georgia (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Determine the types of hazardous work prohibited for children in consultation with employers' and workers' organizations.	2016
	Increase the age up to which education is compulsory to 16, the minimum age for work.	2009 – 2016
	Ensure that the law's light work provisions are specific enough prevent children from involvement in child labor.	2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
Enforcement	Establish a functioning Labor Inspectorate to enforce child labor legislation. Ensure that the Labor Inspectorate has funding to provide a sufficient number of inspectors; that inspectors are capable of performing quality targeted, complaint-based, and unannounced inspections; that inspectors have the ability to assess penalties; and that data on the number and type of inspections, violations, and penalties are made publicly available.	2009 – 2016
	Ensure that legislation permits the Department for Inspection of Labor Conditions to enter the premises of all businesses to conduct unannounced inspections, and empowers monitors to impose sanctions for the violation of labor laws.	2015 – 2016
	Ensure that labor monitors inspect for compliance with the full range of labor laws, including laws against child labor.	2015 – 2016
	Ensure that cases of forced begging are recognized as criminal acts and receive appropriate and thorough investigation by the Police.	2014 – 2016
Coordination	Establish coordinating mechanisms to combat child labor, including in all its worst forms.	2009 – 2016
Social Programs	Conduct a survey on the number and circumstances of children living and working on the street, to facilitate effective targeting of policies and programs.	2015 – 2016

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Ghana

SIGNIFICANT ADVANCEMENT

In 2016, Ghana made a significant advancement in efforts to eliminate the worst forms of child labor. The Government drafted regulations to the Labor Act that include protections for child domestic workers and developed standard operating procedures to refer victims of child trafficking to social service providers as part of the Child Protection Compact. In addition, the Government continued developing the National Plan of Action Phase II on the Elimination of the Worst Forms of Labor, signed memoranda of understanding with 20 institutions responsible for its implementation, and expanded its Livelihood Empowerment Against Poverty program into 28 new districts. The Ministry of Local Government and Rural Development also introduced a new program to transition from a manual birth registration process to automated registration, which is likely to increase the number of children with birth certificates and facilitate school registrations and employment age verification. However, children in Ghana continue to engage in the worst forms of child labor, including in forced labor in fishing and cocoa harvesting. Resource constraints severely limited the Government's ability to fully implement policies and social programs during the reporting period.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Ghana engage in the worst forms of child labor, including in forced labor in fishing and cocoa harvesting. (1-7) According to a report by Tulane University that assessed data collected during the 2013–2014 harvest season, there were an estimated 918,543 child laborers ages 5 to 17 in the cocoa sector, which represents a 6.4 percent decline in the number of child workers in cocoa production since the 2008–2009 harvest season. (8) Table 1 provides key indicators on children's work and education in Ghana.

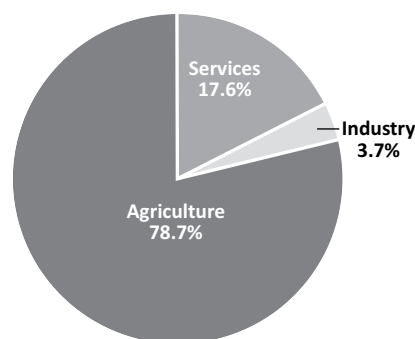
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	24.7 (1,721,914)
Attending School (%)	5 to 14	91.7
Combining Work and School (%)	7 to 14	25.3
Primary Completion Rate (%)		101.1

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016. (9)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Living Standard Survey, Round 6, 2012–2013. (10)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Producing cocoa, including land clearing, using machetes and cutlasses for weeding, collecting cocoa pods with a harvesting hook, breaking cocoa pods, working in the vicinity of pesticide spraying, and carrying heavy loads† of water (2, 3, 8, 11-14)
	Production of palm oil and cotton (14)
	Herding livestock (15, 16)
	Fishing for tilapia, and to a lesser extent for mudfish, catfish, and electric fish, including preparing bait, nets, and fishing gear; launching, paddling, and draining canoes; diving for fish; casting and pulling fishing nets and untangling them underwater; sorting, picking, cleaning, smoking, transporting, and selling fish; cleaning and repairing nets; and building and repairing boats (1, 2, 4-6, 13, 17-20)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Industry	Quarrying [†] and small-scale mining, [†] sometimes for gold, including using mercury, digging in deep pits, crushing rocks by hand, carrying heavy loads, [†] and machine operation [†] (2, 7, 14, 18, 21-27)
	Manufacturing, activities unknown (7, 14)
	Bricklaying (15)
Services	Domestic work (12, 18)
	Transporting heavy loads as <i>kayayes</i> [†] (4, 18, 28-30)
	Work in transportation, activities unknown (7)
	Electronic waste and garbage scavenging, including sorting scavenged items and transporting items for sale (27, 31-37)
Categorical Worst Forms of Child Labor [‡]	Street work, including begging, small-scale vending, and work at restaurants (7, 14, 38, 39)
	Commercial sexual exploitation, sometimes as a result of human trafficking (16, 18, 29, 40-43)
	Forced labor in begging; agriculture; fishing, including for tilapia; artisanal gold mining; domestic work; and street work, including vending and carrying heavy loads, each sometimes as a result of human trafficking (1, 4, 6, 11, 16, 19, 20, 41, 44-48)
	Forced ritual servitude for girls known as <i>trokosi</i> , including in domestic work for priests (4, 18, 29, 42, 44, 49, 50)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




The majority of children subject to human trafficking are transported within Ghana for forced labor in cocoa, domestic work, and aquaculture. Children as young as 4 years old are subjected to forced labor in fishing in the Lake Volta region, sometimes as a result of human trafficking. (16, 20, 29, 42-44, 48, 51, 52) Children also engage in hazardous work in the cocoa sector, including the use of sharp tools and exposure to agro-chemicals. (8, 14)

According to the Constitution and Education Act, primary education in Ghana is free and compulsory from kindergarten through junior high school. (53, 54) However, in practice, children must pay for school uniforms, fees, and materials, which may be prohibitive for many families. (1, 4, 12, 25, 31, 55-57) The Government has made efforts to increase the accessibility of public education, including by providing school uniforms and lifting birth registration requirements for enrollment. However, in isolated incidents, children without uniforms or birth registration may risk being turned away from schools, and out of school children are more vulnerable to child labor. (56, 58) In addition, factors such as a shortage of classrooms, long distance to schools, overcrowding in urban areas, sexual harassment of girls in schools, and poor educational infrastructure, particularly in rural areas, severely limit access to education for many children. (1, 12, 25, 55, 56)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Ghana has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Ghana’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Section 89 of the Children's Act (59)
Minimum Age for Hazardous Work	Yes	18	Section 91 of the Children's Act (59)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 28.1d, 28.2, and 28.5 of the Constitution; Article 7 of the Labor Regulations Legislative Instrument; Sections 91 and 92 of the Children's Act; Article 58 of the Labor Act (53, 59-61)
Prohibition of Forced Labor	Yes		Articles 16.1 and 16.2 of the Constitution; Articles 116 and 117 of the Labor Act; Sections 1–3 and 42 of the Human Trafficking Act; Sections 1 and 2 of the Human Trafficking Prohibition Legislative Instrument (53, 60, 62, 63)
Prohibition of Child Trafficking	Yes		Sections 1 and 2 of the Human Trafficking Act; Sections 1 and 2 of the Human Trafficking Prohibition Legislative Instrument; Articles 21–25 of the Labor Regulations Legislative Instrument (61, 62)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 107, 108, 110, 111, 274–277, and 279–283 of the Criminal Code; Section 101A of the Criminal Offenses Act; Article 7(2) of the Labor Regulations Legislative Instrument (61, 64, 65)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Military Recruitment			
State Compulsory	Yes*	20	Armed Forces Regulations (Administration) Volume I (66-68)
State Voluntary	Yes	20	Armed Forces Regulations (Administration) Volume I (66-68)
Non-state Compulsory	No		
Compulsory Education Age	Yes	15 [‡]	Article 2.2 of the Education Act (54, 66)
Free Public Education	Yes		Article 25.1.a of the Constitution; Articles 1.1, 1.2, and 2.2 of the Education Act (53, 54)

* No conscription (69)

‡ Age calculated based on available information (66)

In 2016, Ghana drafted Regulations to the Labor Act, which include protections for domestic workers, including minimum age for employment.(70-72) Although Ghana has two Hazardous Activities Frameworks, which include detailed types of hazardous activities prohibited to children, neither is considered a legal instrument and no penalties can be imposed for violations of the activities listed in the Frameworks.(73, 74) Furthermore, laws regarding the types of hazardous work prohibited for children are not comprehensive as they do not cover the use of sharp tools in cocoa production or lake fishing, an area of work where there is evidence of children working underwater, for long hours, and at night.(59, 61) In addition, Ghana's laws do not specifically criminally prohibit the use of a child in pornographic performances.(75)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment and Labor Relations (MELR)	Through its Child Labor Unit (CLU), enforce child labor laws, oversee child protection committees at the district level, and implement the Ghana Child Labor Monitoring System (GCLMS) through the National Program for the Elimination of Child Labor in Cocoa (NPECLC).(2, 4, 25, 56, 76-79) Through its District Assemblies, investigate child labor violations in the informal sector, educate employers on compliance with child labor laws, and conduct inspections.(1, 56)

Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Ministry of the Interior (MOI)	Through its Ghana Police Service (GPS), investigate, arrest, and prosecute cases related to the worst forms of child labor and operate a 24/7 hotline for reporting crimes.(40) Within the GPS, the Domestic Violence and Victims Support Unit (DOVVSU) and Anti-Human Trafficking Unit (AHTU) work together to investigate cases and provide support to victims.(4, 40, 44, 47) Through its Ghana Immigration Service (GIS), combat human trafficking through Anti-Human Smuggling and Trafficking Units (AHSTIP) located in Accra and at three major border crossings.(76, 80, 81) In 2016, created a 35 member GIS and GPS task force at the Accra airport to combat human trafficking, which operated for part of the year.(76, 81-84)
Ministry of Justice's Office of the Attorney General (MOJ/AG)	Combat child labor by prosecuting child labor and child trafficking crimes.(40, 79) Within the Economic and Organized Crime Office, the Human Trafficking Unit shares responsibility with the AHTU for combatting human trafficking, confiscate proceeds from human trafficking, and provides ongoing training for law enforcement on prevention measures.(76, 85)
Minerals Commission	Inspect licensed mining sites and raise awareness of laws on the mining sector with criminal law enforcement agencies.(25)
Ministry of Gender, Children, and Social Protection (MOGCSP)	Combat child labor and human trafficking.(76, 79, 86) Through its Department for Social Welfare (DSW), operate shelters for vulnerable children, administer juvenile justice, and implement programs to combat child labor.(76, 86-88) Through its Human Trafficking Secretariat, oversee the creation, implementation, and review of human trafficking policies and ensure proper monitoring, evaluation, and data collection.(40) In 2016, created and disseminated a template to collect data on human trafficking, funded an anti-human trafficking training at the police academy, and conducted an on-site simulation at the airport in Accra for the GIS and GPS task force.(76, 82)
Community Child Protection Committees (CCPCs)	Receive complaints of child labor violation at the district level and report cases to the GPS, DSW, or traditional authorities, who work with the police to conduct investigations.(25, 40, 78) Participate in the GCLMS to monitor, prevent, and withdraw children from the worst forms of child labor in more than 600 communities nationwide as part of the Child and Family Welfare Policy.(15, 39, 57)

Although the Office of the Attorney General is responsible for prosecuting child trafficking violations, in practice it is often left to the prosecutors of the Ghana Police Service (GPS), who often have minimal formal legal training.(40, 84)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Ghana took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown* (66)	Unknown* (40)
Number of Labor Inspectors	97 (66)	105 (40)
Inspectorate Authorized to Assess Penalties	No (66)	No (40)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (66)	Yes (40)
Training on New Laws Related to Child Labor	N/A (66)	N/A (40)
Refresher Courses Provided	Unknown (66, 89)	Unknown* (40)
Number of Labor Inspections	317 (66)	200 [‡] (40)
Number Conducted at Worksite	317 (66)	200 [‡] (40)
Number Conducted by Desk Reviews	0 (66)	0 (40)
Number of Child Labor Violations Found	Unknown (66)	Unknown
Number Child Labor Violations for Which Penalties Were Imposed	Unknown (66)	Unknown
Number of Penalties Imposed that Were Collected	Unknown (66)	Unknown
Routine Inspections Conducted	Yes (66)	Unknown
Routine Inspections Targeted	No (66)	N/A (40)
Unannounced Inspections Permitted	Yes (66)	Yes (40)
Unannounced Inspections Conducted	Yes (66)	Unknown*(40)
Complaint Mechanism Exists	Yes (66)	Yes (40)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (66)	Yes (40)

* The Government does not make this information publicly available.

‡ Data are from January 1, 2016 to September 30, 2016.

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The number of labor inspectors is insufficient for the size of Ghana's workforce, which includes almost 12 million workers.(90) According to the ILO's recommendation of 1 inspector for every 15,000 workers in industrializing economies, Ghana should employ roughly 799 inspectors.(90-92) Inadequate resources, including funding, transportation, office space, and office supplies, hamper the labor inspectorate's capacity to enforce child labor laws.(25, 40, 56, 93) Research also indicates that few cases of child labor violations are reported, and even fewer cases result in prosecution because judges, police, and labor inspectors are sometimes unfamiliar with child labor laws.(56, 94) In addition, it is not known how many cases of child labor were identified as a result of calls made to the GPS's 24/7 hotline.

In 2016, the MELR mandated its Chief Labor Officer to investigate unlicensed recruitment agencies, which frequently recruit children for domestic work, and publicly posted a list of registered recruitment agencies to counteract unlawful recruitment activities.(79, 81, 95, 96) The Ministry of Fisheries and Aquaculture Development also stopped two fishing boats that were suspected of employing victims of child trafficking.(51, 97) Formal referral mechanisms continued to be hindered by lack of shelter space and transportation for victims.(40)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Ghana took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	No (66)	Yes (76)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	No (66, 85)	Yes (40, 76)
Number of Investigations	132 (66)	Unknown
Number of Violations Found	Unknown* (66)	84 (98)
Number of Prosecutions Initiated	Unknown (66, 89)	6 (40, 99)
Number of Convictions	0 (66)	1 (100)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (66)	Yes (40)

* The Government does not make this information publicly available.

During the reporting period, the GPS's Anti-Human Trafficking Unit (AHTU) employed approximately 57 investigators and the GIS's Anti-Human Smuggling and Trafficking Unit (AHSTIP) increased its staff from 5 to 8. However, both GIS and the AHTU noted a lack of transportation, human and financial resources, and collaboration with other government officials, which hampered enforcement efforts.(40, 47, 51, 76, 81, 84) In addition, data on human trafficking are not collected systemically, and information is often not conveyed from regional offices to the headquarters in Accra.(85) Victims are sometimes required to bear the costs of investigations, including medical exams and transportation to arrest the suspect.(42)

In 2016, IOM worked with the Government to develop standard operating procedures to refer victims of child trafficking to social service providers as part of the Child Protection Compact Partnership.(40) In addition, state attorneys reviewed all 217 open human trafficking cases during the reporting period and recommended prosecution in five cases as a result.(81, 82, 84) With support from UNICEF, the MOGSP also printed and disseminated 4,000 copies of the Human Trafficking Act to law enforcement and social service providers during the year.(76, 81, 84) In April 2016, an individual accused of child trafficking in the Lake Volta region was convicted of employing a child in hazardous work and was sentenced to pay a fine.(100) Research indicates that some Government officials may be unfamiliar with how to identify cases of domestic human trafficking, which limits the Government's ability to investigate and prosecute these offenses.(76)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor (cont)

Coordinating Body	Role & Description
National Steering Committee on Child Labor (NSCCL)	Oversee Government efforts to combat the worst forms of child labor and support the implementation of the GCLMS, a monitoring, data collection, and referral mechanism.(40, 77, 85) Led by the CLU and includes representatives from other ministries, employers' and workers' organizations, and civil society.(1, 40, 77, 101) In 2016, continued developing the National Plan of Action Phase II on the Elimination of the Worst Forms of Against Child Labor (NPA2) (2016–2020) and signed memoranda of understanding with 20 stakeholder institutions to implement the plan.(79)
MELR's CLU	Coordinate Government programs to combat child labor and provide technical support to ministries, departments and agencies, employers' and workers' organizations, and international agencies such as the ILO, IOM, and UNICEF.(1, 40) In 2016, received \$22,181 from the Government and \$22,482 from partner organizations, which was insufficient to carry out all planned activities.(40, 102)
Human Trafficking Management Board (HTMB)	Intersectoral board chaired by the MOGCSP that includes representatives from law enforcement, ministries, and civil society.(40) Advise the MOGCSP on human trafficking policy; rehabilitate and re-integrate victims; and oversee the Human Trafficking Fund, which provides financial support to victims, including children.(40, 62, 63) In 2016, began drafting a National Plan of Action for the Elimination of Human Trafficking in Ghana with donor support.(76)

Although the Government created an ad hoc committee in 2016 to improve coordination of enforcement and prosecution efforts against human trafficking cases, the appointment of its National Trafficking in Persons Coordinator expired on January 6, 2017. It is unclear whether a new coordinator will be appointed and if the committee will continue to function.(76, 81, 103) In addition, the HTMB has not yet received funds to provide assistance to victims.(84)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plan of Action Phase II on the Elimination of the Worst Forms of Against Child Labor (NPA2) (2016–2020)†	Aims to fill in gaps identified in the first NPA (2009–2015), improve coordination, and reduce the worst forms of child labor to 10 percent by 2020, with a focus on the fishing, mining, and agricultural sectors, including cocoa, palm oil, and cotton production, and children engaged as <i>kayayes</i> , <i>trokosi</i> , domestic workers, and in commercial sexual exploitation.(14, 40, 79)
Hazardous Child Labor Activity Frameworks	Created by working groups and includes both the Hazardous Child Labor Activity Framework and the Hazardous Child Labor Activity Framework for the Cocoa Sector. Both frameworks were developed in consultation with workers' and employers' organizations and identify hazardous activities which should be prohibited for children.(74, 104, 105)
2010 Declaration of Joint Action to Support the Implementation of the Harkin-Engel Protocol (2010 Declaration) and Its Accompanying Framework of Action	Joint declaration by the Governments of Ghana, Côte d'Ivoire, and the United States, and the International Cocoa and Chocolate Industry.(106-108) Provides resources and coordinates with key stakeholders on efforts to reduce the worst forms of child labor in cocoa-producing areas.(106, 107) Ensures that all project efforts implemented under the Declaration and Framework align with Ghana's national action plans in order to promote coherence and sustainability.(106-108) USDOL-funded projects and some industry-funded projects carried out activities in support of this policy during the reporting period.(108)
Bi-Lateral Commitments to Combat Cross-Border Trafficking†	Joint declaration signed by the First Ladies of Côte d'Ivoire and Ghana to combat the worst forms of child labor and advocate for sub-regional cooperation with other First Ladies.(109) A subsequent cooperative agreement between the two governments further operationalizes the declaration, which targets high-risk sectors, provides protection to victims, improves coordination, and prosecutes offenders.(110, 111) The MOU with the Government of Jordan formalizes labor recruitment practices and provides for support and repatriation of Ghanaian victims of human trafficking in Jordan.(76)
MELR's National Employment Policy	Aims to create decent jobs and improve the legal framework regarding labor, including reinforcing regulations prohibiting child labor.(112)
Minerals and Mining Policy of Ghana	Prohibits child labor in mining and stipulates children who visit mining sites must be supervised.(113)
Child and Family Welfare Policy	Aims to strengthen social protection for children, improve inter-ministerial coordination, and empower youth.(25, 47, 66) Led by the MOGCSP, formalizes the referral of child protection cases, including the worst forms of child labor, between the police and the Department of Social Development.(40, 47) In 2016, held a two-day workshop for civil society and enforcement agencies on how to implement the policy.(114)
UNDAF Action Plan (2012–2016)	Aims to provide education or vocational training opportunities to 5,000 children ages 5 to 17 who have been withdrawn or are prevented from engaging in child labor.(115)

† Policy was approved during the reporting period.

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In 2016, the MOGSP resumed work to draft a national plan of action to combat human trafficking.(76, 81, 116) Although the NPA2 to combat child labor was approved in 2016, the Cabinet must issue a memorandum authorizing its implementation, which was delayed into 2017 due to a change in Government.(40) The Government also approved a National Migration Policy during the reporting period, but like the Free Compulsory Universal Basic Education (F-CUBE), it does not include child labor elimination and prevention strategies .(48, 117) Overlapping objectives and poor coordination hindered the effective implementation of policies during the reporting period. (18, 87)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
USDOL-Funded Projects	USDOL projects in support of the 2010 Declaration in cocoa-growing areas of Ghana and Côte d'Ivoire that aim to eliminate child labor, including its worst forms, through research, improved monitoring and enforcement. These projects include: Survey Research on Child Labor in West African Cocoa Growing Areas (2012–2016) , \$1.5 million project implemented by the Payson Center for International Development at Tulane University; Assessing Progress in Reducing Child Labor in Cocoa-Growing Areas of Côte d'Ivoire and Ghana (2015–2019) , \$3 million project implemented by NORC at the University of Chicago; and Mobilizing Community Action and Promoting Opportunities for Youth in Ghana's Cocoa-Growing Communities (MOCA) (2015–2019) , \$4.5 million project implemented by Winrock International. Projects that address child labor in other sectors include: Global Action Program on Child Labor Issues (2011–2017) , a global project implemented by the ILO which completed a report on child labor and youth employment in Ghana in 2016, and CARING Gold Mining Project (ASGM) , \$5 million project implemented by the ILO in Ghana and the Philippines.(118-123) Additional information is available on the USDOL Web site .
USG-Funded Projects	USG-funded projects aim to improve child protection measures in partnership with the host government. Includes: Child Protection Compact Partnership (2015–2020), \$5 million USDOS-funded project implemented by IOM and local NGO Free the Slaves; Sustainable Fisheries Management Project (2014–2019), \$24 million USAID-funded project implemented by CRC/URI which includes activities aimed at reducing child labor in the fishing sector; the Complementary Basic Education Program, a \$40 million joint contribution between USAID and the UK's Department for International Development (DFID) to support Ghana's Ministry of Education to educate and re-integrate out-of-school children into the basic school system; and the \$37 million USAID-UNICEF jointly funded Learning Support program, which helps increase inclusive education services to special needs children in primary schools.(84, 124-127)
Industry-Funded Projects	Industry-funded projects aim to increase sustainability in the cocoa sector, improve farmer livelihoods, improve access to education, and combat the worst forms of child labor in cocoa-growing areas. Some projects may be in support of the World Cocoa Foundation (WCF)'s CocoaAction (2014–2020) initiative and the 2010 Declaration .(108, 128)
Awareness Raising Activities*†	Large-scale events by MOGSP, AHTU, MOI, and MELR to raise awareness of child trafficking issues through radio and television broadcasts, public events, and community awareness activities.(76, 81)
Livelihood Empowerment Against Poverty (LEAP)†	MOGSP-administered conditional cash transfer program that provides monetary grants to poor households with orphans and vulnerable children on the condition that children attend school, receive vaccinations, and regularly visit health care facilities. An original provision that children do not engage in child labor in order to receive benefits was removed in 2012.(25, 38, 75, 129, 130) In 2016, expanded into 28 additional districts with 43,368 new participants and increased the number of beneficiaries in existing districts.(40, 102)
Educational Programs†	The Ghana Cocoa Board's Child Education Support Program rehabilitates and builds schools in cocoa growing areas.(131, 132) Ministry of Education-funded programs under F-CUBE that aim to increase school attendance and enrollment.(38, 117, 129) Includes the Ghana School Feeding Program, which aims to reduce malnutrition and improve attendance among students; the Capitation Grant Scheme, which helps defray the cost of basic education for students in public primary schools; and the Ghana Education Service – Girls Education Unit, which places girls' education officers at the regional and district levels, and mobilizes communities to enroll more girls in school.(1, 38, 130, 133, 134) Includes the distribution of 400,000-500,000 free school uniforms and exercise books to districts with poor enrollment rates.(102, 130, 134)
Programs to Assist <i>Kayayes</i> †	MOGSP program that provides rehabilitation and reintegration support for <i>kayayes</i> . In 2016, provided training and small business opportunities to 400 <i>kayayes</i> .(102)
mBirths*	Ministry of Local Government and Rural Development program, supported by UNICEF and Tigo, to transition from a manual birth registration process to automated birth registration.(58, 135)

Table 10. Key Social Programs to Address Child Labor* (cont)

Program	Description
From Street to School*†	MOGCSP program which aims to remove children from the street and reintegrate them into family and educational settings.(88)

* Program was launched during the reporting period.

† Program is funded by the Government of Ghana.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(40, 41, 136)

In 2016, the Government failed to allocate funding to the Human Trafficking Fund for victim support and the National Program for the Elimination of Child Labor in Cocoa (NPECLC), which ceased to function as a result.(14, 76, 96, 137, 138) The CLU, the AHTU, MOGCSP, and local NGOs cite the lack of funding as one of the primary obstacles in implementing programs to address child labor, including its worst forms.(40, 81, 85) In addition, Government-run shelters for child victims are poorly run and did not receive sufficient funding during the reporting period. Furthermore, a DSW-operated shelter for child trafficking victims and victims of other forms of abuse in Accra shares its space with a detention center for juvenile offenders, which presents safety concerns for victims of child trafficking.(4, 6, 40, 41, 44, 84, 136, 139)

Although the Government has worked closely with industry, NGOs, and international organizations to implement child labor programs in cocoa, fishing, and mining, the magnitude of these programs remains insufficient to address the scope of the problem.(66)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Ghana (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2016
	Ensure that laws criminally prohibit the use of children in all illicit activities, including for the production and trafficking of drugs.	2009 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Ensure that the types of hazardous work prohibited for children are comprehensive.	2015 – 2016
	Ensure that laws criminally prohibit all forms of commercial sexual exploitation of children, including the use of a child in pornographic performances.	2014 – 2016
Enforcement	Ensure prosecutors who have received sufficient legal training oversee and lead the prosecution of cases of the worst forms of child labor, and that government officials, including judges, police, and labor inspectors, are familiar with the provisions of laws protecting children.	2015 – 2016
	Ensure agencies responsible for child labor laws coordinate effectively and improve the exchange of information.	2015 – 2016
	Ensure that training is institutionalized for labor inspectors and publish information about the training system.	2013 – 2016
	Publish information on the amount of funding allocated to the labor inspectorate and ensure inspectorates have adequate resources, including office space, transportation, and supplies to effectively carry out their mandate.	2009 – 2016
	Strengthen the labor inspectorate by ensuring inspectors conduct routine and unannounced inspections, and are authorized to assess penalties for labor violations.	2014 – 2016
	Publish information on the number of child labor violations found, criminal violations found, penalties issued, penalties collected, and convictions made.	2010 – 2016
	Significantly increase the number of labor inspectors and investigators responsible for enforcing laws related to child labor in accordance with the ILO recommendation.	2010 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure victims are not required to incur the costs related to prosecuting offenders, and that there are sufficient social services available to support victims.	2016
	Establish a mechanism to log all calls to the child protection hotline and track cases of child labor for referral to law enforcement or social services providers.	2014 – 2016
Coordination	Ensure that all coordinating bodies receive adequate funding to convene on a regular basis and fulfill their respective coordinating roles.	2013 – 2016
Government Policies	Improve policy implementation by clarifying objectives and improving coordination.	2015 – 2016
	Integrate child labor elimination and prevention strategies into existing policies.	2013 – 2016
Social Programs	Improve access to education by eliminating school-related fees, permitting children without uniforms to attend class, increasing the number of classrooms, improving access to schools, and prohibiting sexual harassment in schools. Make additional efforts to ensure all children receive birth registration.	2010 – 2016
	Ensure that all social programs receive sufficient funding to carry out their objectives.	2014 – 2016
	Expand the availability of government-supported shelter services for child victims and ensure victims are not housed in the same facilities as juvenile offenders.	2016
	Create, replicate, and expand effective models for addressing exploitative child labor.	2009 – 2016

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In 2016, Grenada made a minimal advancement in efforts to prevent the worst forms of child labor. The Government joined the Regional Initiative to eliminate the worst forms of child labor by 2020. Although research found no evidence that child labor, including its worst forms, exists in Grenada, no study of child labor has been done to confirm this. The Government's ability to prevent children from becoming engaged in the worst forms of child labor is limited because existing laws do not comprehensively prohibit child trafficking and the commercial sexual exploitation of children. In addition, there is a lack of prohibitions against children's involvement in hazardous work and illicit activities, including the production and trafficking of drugs.






I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor, including its worst forms, exists in Grenada.(1) According to the Education Act, public education is free and all children are required to attend school until age 16. However, in practice, some school boards deny access to pregnant girls and adolescent mothers.(2-4)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Grenada has ratified all key international conventions concerning child labor (Table 1).

Table 1. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 2). However, gaps exist in Grenada's legal framework to adequately protect children from child labor.

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	16	Article 32 of the Employment Act (5)
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Article 25 of the Employment Act; Article 4 of the Constitution; Articles 9–11 of the Prevention of Trafficking in Persons Act (5-7)
Prohibition of Child Trafficking	No		Articles 9–11 of the Prevention of Trafficking in Persons Act (7)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 137 and 188 of the Criminal Code; Article 12 of the Electronic Crimes Bill; Article 10 of the Prevention of Trafficking in Persons Act (7-10)
Prohibition of Using Children in Illicit Activities	No		

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Table 2. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Military Recruitment			
State Compulsory	N/A†		
State Voluntary	N/A†		
Non-state Compulsory	No		
Compulsory Education Age	Yes	16	Articles 2 and 15 of the Education Act (3)
Free Public Education	Yes		Articles 15–16 of the Education Act (3)

† No standing military (11)

Article 32 of the Employment Act allows holiday employment for children under age 16, but it does not specify the minimum age, types of work, or number of hours permitted for such work.(5, 12) The Prevention of Trafficking in Persons Act does not sufficiently prohibit the trafficking of children, despite establishing heightened penalties for traffickers of children, because it requires the use of force, threats, abuse of power, or other forms of coercion to carry out the offense.(7) The Criminal Code, Electronic Crimes Bill, and Prevention of Trafficking in Persons Act do not comprehensively prohibit the commercial sexual exploitation of all children.(9)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including in its worst forms (Table 3).

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor	Enforce laws related to child labor.(10, 13)
Royal Grenada Police Force	Investigate crimes and enforce laws related to child labor. Help the Child Protection Agency and the Ministry of Social Development and Housing provide emergency services to children.(10, 13)
Ministry of Legal Affairs	Prosecute criminal cases of child abuse in consultation with the Child Protection Agency.(14)
Child Protection Agency	Enforce laws related to child labor by receiving and investigating reports of child abuse. Provide social and protective services to abused children, including by requesting court emergency protection orders.(10, 13-15)
Ministry of Social Development and Housing	Oversee the Child Abuse Hotline and investigate reports of child abuse. Refer child abuse cases to the Child Protection Agency and criminal cases to the police.(14) Enforce laws related to school attendance and provide programs to support school attendance.(10, 13, 16)
Ministry of Education	Enforce laws related to school attendance through employment of truancy officers. Combat student absenteeism by monitoring students' attendance and facilitating students' access to school transportation and meals.(10, 13, 16)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Grenada took actions to combat child labor, including its worst forms (Table 4). However, gaps in labor law enforcement remain and some enforcement information is not available.

Table 4. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	0 (13)	0 (1)
Number of Labor Inspectors	7 (13)	6 (1)
Inspectorate Authorized to Assess Penalties	No (13)	No (1)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (13)	No (1)
Training on New Laws Related to Child Labor	Yes (13)	N/A
Refresher Courses Provided	Yes (13)	No (1)

Table 4. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Number of Labor Inspections	68 (13)	20 (17)
Number Conducted at Worksite	68 (2)	Unknown
Number Conducted by Desk Reviews	0 (13)	Unknown
Number of Child Labor Violations Found	0 (13)	0 (1)
Number of Child Labor Violations Found for Which Penalties Were Imposed	0 (13)	0 (1)
Number of Penalties Imposed That Were Collected	N/A	N/A (1)
Routine Inspections Conducted	Yes (13)	Yes (1)
Routine Inspections Targeted	Yes (13)	Yes (18)
Unannounced Inspections Permitted	Yes (13)	Yes (1)
Unannounced Inspections Conducted	Yes (13)	Yes (1)
Complaint Mechanism Exists	Yes (13)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (13)	Yes (1)

In 2016, the Ministry of Labor had a budget of approximately \$333,333 to carry out all activities during the reporting period, including labor inspections. Although labor law enforcement agencies have sufficient resources to respond to reports of child labor, these agencies are typically underfunded and lack the staff and resources needed to fully realize their missions.(1, 13, 18)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Grenada did not take actions to combat the worst forms of child labor (Table 5).

Table 5. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	No (13)	N/A (17)
Training on New Laws Related to the Worst Forms of Child Labor	No (13)	N/A (1)
Refresher Courses Provided	No (13)	No (1)
Number of Investigations	0 (13)	0
Number of Violations Found	0 (13)	0 (1)
Number of Prosecutions Initiated	0 (13)	0 (1)
Number of Convictions	0 (13)	0 (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (13)	Yes (1)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor, including its worst forms.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor, including its worst forms. During the reporting period, the Government joined the Regional Initiative to eliminate the worst forms of child labor by 2020 and continued drafting a policy on adolescent pregnancy.(4, 19) Existing policies refer adolescent mothers to the Program for Adolescent Mothers rather than reintegrating them in mainstream education. The limited implementation of these policies impedes the Government's ability to reach all girls who leave school due to pregnancy.(4)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor, including its worst forms. However, research found no evidence of current research on the worst forms of child labor in Grenada.

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VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor, including its worst forms, in Grenada (Table 6).

Table 6. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish a minimum age for hazardous work as 18 and identify hazardous occupations and activities prohibited for children.	2009 – 2016
	Prohibit the use of children in illicit activities, including drug production and trafficking.	2011 – 2016
	Establish minimum age requirements of at least age 13 for holiday employment and define the activities, conditions, and number of hours permissible for such work.	2014 – 2016
	Ensure that the law sanctions all perpetrators of child trafficking, including where there is no showing of force, threats, or coercion.	2015 – 2016
	Enact legislation prohibiting the use, procuring, or offering of a child for all forms of commercial sexual exploitation.	2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
Enforcement	Provide sufficient funding and resources to allow agencies responsible for the enforcement of labor laws to fulfill their mission.	2015 – 2016
	Publish information on the number of labor inspections conducted at worksites and by desk reviews.	2016
	Authorize the labor inspectorate to assess penalties.	2015 – 2016
	Ensure that labor inspectors and investigators receive training related to the worst forms of child labor.	2015 – 2016
Policies	Adopt and implement a policy to address the reintegration of pregnant girls and adolescent mothers in mainstream education.	2016
Social Programs	Conduct research to determine whether any of the worst forms of child labor exist in Grenada.	2009 – 2016
	Enhance efforts to eliminate barriers and make education accessible to ensure that all children are provided with basic education and complete their schooling, including pregnant girls and adolescent mothers.	2015 – 2016

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In 2016, Guatemala made a significant advancement in efforts to eliminate the worst forms of child labor. The Government drafted a Roadmap for the Prevention and Elimination of the Worst Forms of Child Labor, conducted targeted child labor inspections, and carried out five nationwide inspection plans that included identifying child labor violations. The Government re-established the Inter-institutional Committee Against Trafficking and partnered with the National Center for Missing and Exploited Children, which works directly with technology companies to obtain tips about child trafficking and pornography. The Government also passed a law restoring administrative sanction authority to the Ministry of Labor. However, children in Guatemala perform dangerous tasks in agriculture. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. The lack of sufficient labor inspectors and vehicles and inability to assess fines, coupled with inadequate judicial enforcement of court orders, limited the Government's capacity to combat the worst forms of child labor. In addition, existing social programs are insufficient to reach all children engaged in exploitative labor and, in particular, do not target children working in domestic service or agriculture.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Guatemala perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking.(1-5) Table 1 provides key indicators on children's work and education in Guatemala.

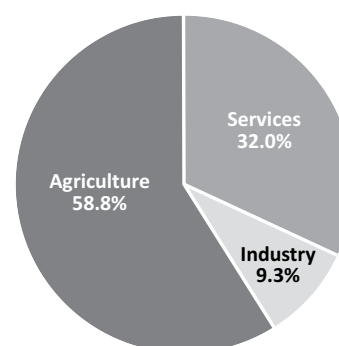
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	7 to 14	6.3 (193,917)
Attending School (%)	7 to 14	89.9
Combining Work and School (%)	7 to 14	3.5
Primary Completion Rate (%)		86.6

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta Nacional de Empleo e Ingreso (ENEI) Survey, 2016.(7)

Figure 1. Working Children by Sector, Ages 7-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Planting and harvesting coffee, sugarcane, corn, and broccoli (8-14)
	Production of rubber and timber (8, 12)
	Harvesting palm kernel [†] and producing palm oil [†] (15)
Industry	Mining, [†] including silver mining [†] (2, 16-18)
	Construction, [†] including as bricklayers and mason helpers (12-14, 19, 20)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Industry	Production of garments, activities unknown (2, 18, 21)
	Manufacturing gravel (crushed stones) [†] and fireworks [†] (2, 4, 12, 13, 16-18, 22)
Services	Domestic work [†] (4, 12, 13, 21)
	Street work, [†] including vending, [†] performing, [†] cleaning windshields, begging, and shoe shining [†] (2, 12-14, 17, 18, 20, 23)
	Garbage scavenging [†] and working in garbage dumps [†] (4, 12, 20)
Categorical Worst Forms of Child Labor [‡]	Forced labor in agriculture, production of garments, domestic work, garbage scavenging, street begging, and vending (2, 3, 13, 14, 17, 18)
	Use in the production of pornography (2, 5, 18, 24-27)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2, 3, 5, 17, 28, 29)
	Use in illicit activities, including drug trafficking, and stealing and transporting contraband as a result of criminal and gang recruitment (4, 12, 18, 29)

[†] Determined hazardous by national law or regulation as understood under Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Children as young as 5 years old work in coffee harvesting and production.(30, 31) In agriculture, working conditions for children also involve using dangerous tools, such as machetes, especially in harvesting sugarcane.(18) Children are also engaged in commercial sexual exploitation, including child sex tourism, especially in Antigua, Guatemala City, and the Department of Solola.(14)




In 2016, Guatemala, in addition to El Salvador and Honduras, continued to be a main source of unaccompanied children migrating to the United States.(14, 32-35) Such children are vulnerable to the worst forms of child labor, including human trafficking, commercial sexual exploitation, and recruitment by gangs to perform illicit activities such as theft, homicide, and drug trafficking.(4, 12, 29, 36, 37) Indigenous children are particularly vulnerable to labor trafficking.(3, 29, 38-40)

Significant barriers to accessing education remain, particularly for children in rural areas, indigenous children, and girls.(12, 18) Although basic education is free in Guatemala, there aren’t sufficient secondary public schools for children. Therefore, families feel forced to send their children to private schools where they pay school fees and supplies. In addition, due to lack of public schools in rural areas, some families have difficulty paying for transportation, and lodging.(14, 18) Because of the heightened risks that girls face traveling to schools far away, girls’ enrollment in secondary school is lower than that of boys.(18) Indigenous children also have lower enrollment rates compared to other children.(5) In addition, there are not enough qualified teachers to provide instruction in the predominant native languages or sufficient classroom materials available in these languages.(18, 41)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Guatemala has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Guatemala's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Articles 46 and 102 of the Constitution; Articles 31 and 148 of the Labor Code; Government Accord 112-2006 (42-44)
Minimum Age for Hazardous Work	Yes	18	Article 148 of the Labor Code; Article 1 of Government Accord 250-2006 (42, 45)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 4 of Ministerial Accord 154-2008 (46)
Prohibition of Forced Labor	Yes		Article 4 of the Constitution; Article 202 of the Penal Code; Article 51 of the Law of Integral Protection of Children and Adolescents; Article 108 of the Migration Law (43, 47-50)
Prohibition of Child Trafficking	No		Articles 189 and 194 of the Penal Code; Article 50 of the Law of Integral Protection of Children and Adolescents(47-50)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 36–42 of the Law against Sexual Violence, Exploitation, and Trafficking in Persons, No. 9-2009 (51)
Prohibition of Using Children in Illicit Activities	Yes		Article 27 of the Penal Code (47)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Article 135(g) of the Constitution; Article 68 and 69 of the Constitutive Law of the Guatemalan Army (43, 52)
State Voluntary	Yes	18	Article 57 of the Law of Integral Protection of Children and Adolescents (48)
Non-state Compulsory	No		
Compulsory Education Age	Yes	15 [‡]	Article 74 of the Constitution (43, 53, 54)
Free Public Education	Yes		Article 74 of the Constitution; Article 1 of Government Agreement 226-2008 (43, 48, 55)

[‡] Age calculated based on available information (2, 43, 53, 54)

Although Articles 32 and 150 of the Labor Code allow the Ministry of Labor and Social Security (MTPS) to authorize children under age 14 to work under exceptional circumstances, including if the MTPS determines that children must work to support their family due to poverty, the law does not define the total number of hours, kinds of tasks, or age range applicable for this exception which is inconsistent with international standards on light work.(42) The President's Office and the MTPS have an agreement reiterating the Labor Code's prohibition of the employment of children under the age of 14 and committing the MTPS to grant exceptions only in very extraordinary cases.(44)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security's (MTPS) Inspection Division (IGT)	Enforce child labor laws, including prohibitions on the worst forms of child labor, by inspecting businesses and responding to child labor complaints.(2) Refer children found in child labor to government social services and complaints to the MTPS Adolescent Workers Protection Unit.(56-59) Refer cases of worst forms of child labor to the Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons (SVET) and unresolved cases to labor courts for review and sanctions, as appropriate.(2)
Secretariat of Social Welfare and Departmental Social Welfare Offices	Lead government efforts to protect children and oversee the implementation of the Protocol for Identifying and Assisting Child and Adolescent Victims of Commercial Sexual Exploitation.(60)

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Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons (SVET)	Assist child victims of commercial sexual exploitation, forced labor, and human trafficking. Receive cases from the IGT and refer them to the Public Prosecutor's Office.(2) Provide trainings to law enforcement agencies and businesses on indicators of forced labor and human trafficking and strategies for preventing the commercial sexual exploitation of children.(3)
National Civil Police (<i>Policía Nacional Civil</i>)	Investigate cases of child trafficking through the Trafficking in Persons and Forced Labor Unit located within the Special Investigation Police, and operate a hotline to receive reports of suspected child trafficking cases.(17, 28, 61)
Public Ministry, Special Prosecutor's Office	Receive case referrals involving the worst forms of child labor from labor inspectors.(2) Investigate cases of human trafficking and forced labor through the Special Prosecutor's Office Against Human Trafficking. In 2016, the Special Prosecutor's Office hired additional investigators and prosecutors to respond to the commercial sexual exploitation of minors.(13) By September 2016, the MP convicted abusers of 489 child victims of violence, including commercial sexual exploitation.(13)
Human Rights Ombudsman	Receive complaints regarding child victims of human trafficking.(62)
Solicitor General's Office	Receive complaints regarding the exploitation of children. Initiate legal proceedings and ensure the legal representation of children whose rights have been violated.(24, 61, 62) Maintain a Child Rescue Unit that determines safe placement for minors who have been abused.(24)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Guatemala took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$3,400,000 (2)	\$3,300,000 (18)
Number of Labor Inspectors	267 (2)	267 (18)
Number of Child Labor Dedicated Inspectors	12 (2)	12 (18)
Inspectorate Authorized to Assess Penalties	No (2)	No (18)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (2)	N/A
Training on New Laws Related to Child Labor	N/A	Yes (18)
Refresher Courses Provided	Yes (2)	Unknown
Number of Labor Inspections	18,286 (2)	16,083(63)
Number Conducted at Worksite	Unknown* (2)	Unknown* (18)
Number Conducted by Desk Reviews	Unknown* (2)	Unknown* (18)
Number of Child Labor Violations Found	167 (2)	97 (18)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	19 (18)
Number of Penalties Imposed that Were Collected	Unknown	Unknown
Routine Inspections Conducted	Yes (2)	Yes (18)
Routine Inspections Targeted	Yes (2)	Yes (18)
Unannounced Inspections Permitted	Yes (2)	Yes (18)
Unannounced Inspections Conducted	Yes (64)	Yes (18)
Complaint Mechanism Exists	Yes (2)	Yes (18)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (18)

*The Government does not publish this information.

The number of labor inspectors is insufficient for the size of Guatemala's workforce, which includes more than 4.6 million workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Guatemala should employ roughly 308 labor inspectors.(65-67) In addition, even though the Government purchased additional vehicles to conduct inspections, vehicles were not distributed outside the capital, leaving inspectorates in the rest of the country without sufficient vehicles. Inspectors—especially those outside Guatemala City—also lack fuel, computers,

and paper to conduct inspections.(2, 4, 8, 17, 18, 68-70) Although the general budget for the MTPS increased slightly since 2015, the budget for inspections decreased from \$3.4 million to \$3.3 million.(18)

Although labor inspectors may conduct unannounced inspections, the timing of some inspections, which may include child labor, has become predictable, taking place during the times employers are required to pay quarterly bonuses.(17, 18) Announced inspections allow time for employers to temporarily hide or remove children that may be engaged in child labor, and are, therefore, not as effective as unannounced inspections. Some reports question the quality of child labor inspections, particularly the scope and coverage across industries.(17, 18) Although laws governing the minimum age for work and hazardous work apply in both the formal and informal sectors, labor inspectors rarely inspect informal workplaces where child labor violations are most likely to occur.(2) During the reporting period, the Ministry of Labor lacked authority to directly impose fines for labor law violations and referred cases of violations to the courts for review and possible sanction and remediation of the underlying violation, causing significant delays.(17, 18) However, in March 2017, the Guatemalan Congress passed a law restoring sanction authority to the MTPS.(71)

In 2016, the MTPS initiated plans to create a unit to address allegations of corruption or inefficiency in the filing of labor complaints, including child labor complaints.(18) The MTPS also conducted 5,872 inspections targeting child labor and carried out five nationwide targeted inspection plans that included child labor detection.(18) As a result of these inspections, the MTPS found 97 children and adolescents in child labor.(18)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Guatemala took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes (18)
Refresher Courses Provided	Yes (2)	Yes (21)
Number of Investigations	280 (3)	43 (18)
Number of Violations Found	Unknown	97 (18)
Number of Prosecutions Initiated	62 (3)	19 (18)
Number of Convictions	17 (3)	19 (18)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (18)

The Public Ministry and National Police conducted several raids against alleged online child pornography networks.(14) However, law enforcement agencies lack sufficient training and vehicles, fuel, and criminal investigators, particularly outside Guatemala City.(2, 14, 17, 24, 61) Although the Government established specialized courts—including a 24-hour court in Guatemala City—to hear cases of human trafficking and gender-based violence, judges are often unable to schedule hearings and trials in a timely manner.(3, 14, 72)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Commission for the Eradication of Child Labor (CONAPETI)	Coordinate government policies and efforts to combat child labor.(2) Led by the vice president's office and composed of several government ministries, as well as representatives from industry associations and trade unions.(16, 73) Met four times in 2016.(18, 20, 74)

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Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor (cont)

Coordinating Body	Role & Description
Departmental Commissions for the Eradication of Child Labor (CODEPETI)	Coordinate government efforts to combat child labor at the departmental or regional level. Composed of department-level representatives of CONAPETI member agencies as well as NGO and business representatives.(2, 17) Replaced the Labor Ministry Executive Secretariats.(2) In 2016, more than half of Guatemala's 22 departments continued to have active CODEPETIs.(18)
Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons (SVET)	Coordinate all government efforts against human trafficking, including for commercial sexual exploitation of children and forced child labor, by responding to cases and providing support for victims. Operate shelters to serve minor victims of trafficking.(61, 62) Led by Vice President's Office. In 2016, led workshops in all military bases and schools, trained key regional players in the fight against human trafficking, and translated the Law Against Sexual Violence, Exploitation, and Trafficking in Persons into 17 Mayan languages.(21) Served 74 children who were trafficking victims.(21) In 2016, revised, published, and legally implemented the Inter-institutional Protocol for the Protection and Attention of Victims of Human Trafficking, raising awareness with stakeholders.(21)
Inter-Institutional Committee Against Trafficking (CIT)	Develop and manage initiatives to combat human trafficking. Relaunched by SVET in 2016. Coordinated by SVET and co-chaired by the Ministry of Foreign Affairs. Includes 28 government and civil society institutions.(24, 61, 62) Met 10 times and created a detailed work plan for CIT sub-commissions.(21)
National Working Group for the Prevention and Protection of Children and Adolescents Against Sexual Exploitation in Activities Related to Travel and Tourism (MENACESNNA)	Includes 10 government, private sector, and civil society institutions.(21) Presided by SVET. Aims to prevent sexual exploitation of children and adolescents in the travel and tourism sector. Oversees the Code of Conduct Against Sex Tourism, a mandatory code for trade group membership that forbids providing services to customers believed to be engaging in commercial sexual exploitation of children.(21) In 2016, developed a poster describing how to report sex tourism cases, signed 43 business onto the code, and trained 32 businesses and 2,195 individuals on the code.(21)

In 2016, SVET worked with the private sector to create internal company policies excluding forced labor from their supply chains.(21) Despite improvements in interagency coordination, Guatemala continues to lack effective coordination among government institutions and civil society actors who provide services and protection to victims of child labor.(4, 17, 24)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor†

Policy	Description
Roadmap for the Prevention and Elimination of the Worst Forms of Child Labor (2016–2020)†	Led by CONAPETI and CODEPETI.(18, 75-77) Aims to prevent and eradicate child labor by addressing poverty; guaranteeing rights to health for children and adolescents; guaranteeing access to education, especially for children in or at risk of child labor; coordinating and enforcing child labor laws; raising awareness regarding risks and consequences of child labor; and implementing a system to monitor and evaluate child labor.(37)
Intra-Institutional Coordination Protocol to Assist Child Laborers	Sets guidelines for MTPS inspectors to identify child laborers, remove children from the worst forms of child labor, and coordinate services for such children with other government agencies.(46) In 2016, MTPS inspectors used a specific procedure and instrument to conduct inspections on labor complaints involving child and adolescent workers.(64) The specific procedure and instrument facilitated coordination with other government agencies when protection services for such children were required.(64)
Protocol for Providing Comprehensive Health Care to Children and Adolescents in the Worst Forms of Child Labor	Requires public health workers to enter into a database information about any child whose injuries may have been labor related. Implemented by the Ministry of Public Health and Social Assistance.(16, 78) Ministry of Public Health and Social Assistance shared the protocol in 2016 with hospitals at the departmental level and with health centers at the municipal level.(64) The protocol was implemented in cases identified by health workers or MTPS.(64)
Protocol for Identifying and Assisting Child and Adolescent Victims of Commercial Sexual Exploitation	Establishes procedural guidelines for government agencies and NGOs responsible for the protection and care of child and adolescent victims of commercial sexual exploitation. Overseen by the Secretariat of Social Welfare and Departmental Social Welfare Offices and implemented by SVET.(2, 60)
Inter-institutional Protocol for the Protection and Attention of Victims of Human Trafficking†	Provides instruction on how to process sex crimes, including commercial sexual exploitation of children, and assist prospective victims of trafficking in persons.(21, 63) In 2016, special procedures for LGBTI victims were included in the protocol.(21)

Table 9. Key Policies Related to Child Labor[†] (cont)

Policy	Description
Public Policy on Human Trafficking and the Comprehensive Protection of Victims (2014–2024)	Aims to guarantee protection for and comprehensive attention to trafficking victims, and promote prevention, detection, prosecution, and sanction of this crime.(37) Includes a National Plan of Strategic Action that directs the Government’s actions on preventing and combating human trafficking.(17, 24, 79) In 2016, the Government developed a directory of social assistance, a compendium of instruments on human trafficking issues, and guides for identification and referral of human trafficking victims.(42)
Urban Social Protection Strategy	Seeks to prevent children from engaging in street work and to increase training and employment opportunities for youth.(16)

[†] Policy was approved during the reporting period.

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(20)

In June 2016, the Government signed an agreement with the governments of Panama and the Dominican Republic to eradicate child labor by sharing information and jointly developing and implementing research projects.(80, 81)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
Business Network for the Prevention and Elimination of Child Labor in Guatemala (<i>Red Empresarial</i>)	Created in 2015; program that aims to promote prevention and eradication of child labor. Members include the ministries of Education and Agriculture, MTPS, CONAPETI, ILO, UNICEF, the UN Food and Agriculture Organization, and representatives from the private sector.(20, 82-85) In 2016, the Business Network conducted workshops to raise awareness of the Roadmap for the Prevention and Elimination of the Worst Forms of Child Labor.(64)
I Don’t Allow Sexual Exploitation of Children in Tourism [†]	SVET-administered national campaign against the commercial sexual exploitation of children in tourism.(3) In 2016, SVET continued to run this campaign, which consisted of awareness-raising messaging displayed at airports, hotels, and restaurants; and provided a code of conduct signed and publicly displayed by businesses in the tourism industry.(21)
Human Trafficking Referral and Grant Funding [†]	Provides funding for NGOs to assist child victims of human trafficking for commercial sexual exploitation.(79)
Ministerio de Desarrollo Social (MIDES) Poverty Reducing Programs [†]	Conditional Cash Transfer Program (<i>Mi Bono Seguro</i>) provides cash assistance to families with school-age children, conditioned on children’s school attendance (16, 59, 86). Food Assistance Program (<i>Mi Bolsa Segura</i>) provides food assistance to poor families, with the requirement that their children attend school (59, 87, 88). Zero Hunger Pact (<i>Pacto Hambre Cero</i>) combats malnutrition, increases access to education, and reduces the economic vulnerability of approximately 701,000 families (16, 89, 90). Young Protagonists (<i>Jóvenes Protagonistas</i>) provides at-risk adolescents with training and formative activities outside school hours (86, 91, 92). My First Employment (<i>Mi Primer Empleo</i>) places working-age youth in apprenticeship programs and grants them on-the-job training and a monthly stipend.(78, 86, 93) In 2016, MIDES increased funding to combat the worst forms of child labor by 12.3 percent.(18)

[†] Program is funded by the Government of Guatemala.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(21, 70, 94, 95)

In 2016, Guatemala became the first Central American country to partner with the National Center for Missing and Exploited Children, which works directly with technology companies like Facebook to obtain tips about child trafficking and pornography.(21) However, conditions in government-run children’s shelters are not adequate. In 2016, 55 children escaped from government-run shelters due to maltreatment, including lack of adequate clothing and food, and abuse by staff.(21) The shelter housing victims of trafficking in persons held 748 minors, even though it had capacity for only 400.(21)

Although the Government has implemented programs to assist children and families, research found no evidence of government programs specifically designed to assist children engaged in hazardous work, including those in agriculture and domestic service—especially those of indigenous descent.(4) Research was unable to determine whether the Government took any actions toward implementing the Human Trafficking Referral and Grant Funding program in 2016.

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VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Guatemala (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law prohibits all children under age 14 from working, or establish a light work framework for children ages 12 to 14 outlining restrictions on working conditions, type of work, and number of hours of work.	2010 – 2016
	Ensure that prohibitions against child trafficking include domestic and international trafficking, and trafficking for forced labor and commercial sexual exploitation of children.	2016
	Ensure that the law criminally prohibits the recruitment of children under 18 into non-state armed groups.	2016
Enforcement	Increase the number of labor inspectors to meet the ILO recommendation.	2015 – 2016
	Effectively implement the labor inspectorate's new sanction authority legislation by penalizing violators of child labor laws in a timely manner.	2016
	Publish the number of inspections conducted at worksites and those conducted by desk review, and the number of financial penalties imposed that were collected.	2011-2016
	Ensure the labor inspectorate has vehicles and fuel to conduct inspections outside Guatemala City.	2009 – 2016
	Strengthen the inspection system by adopting a strategic planning methodology based on more accurate data regarding types of complaints, where and when they occur (such as harvesting season), and focusing on industries not reached previously by the inspectorate (including agriculture and informal sectors).	2015 – 2016
	Apply penalties to violators of child labor laws and compel payments and corresponding remediation.	2014 – 2016
	Dedicate more staff and training to law enforcement agencies, particularly those outside the capital, that are responsible for enforcing criminal laws related to the worst forms of child labor.	2013 – 2016
	Ensure that hearings and trials addressing human trafficking and gender-based violence in specialized courts are scheduled in a timely manner.	2016
Coordination	Ensure that the timing of labor inspections is not predictable.	2016
	Strengthen coordination efforts to institutionalize relationships between civil society representatives and government agencies that provide services to child victims of child labor.	2013 – 2016
Social Programs	Make secondary education accessible for all children, including indigenous children and girls, and children living in rural areas, by recruiting and training more teachers to provide instruction in indigenous languages and removing school fees and transportation costs.	2015 – 2016
	Build more secondary schools and expand scholarship and subsidy programs so that children can attend quality secondary schools.	2016
	Initiate social programs to address child labor, especially with a focus on indigenous children, in agriculture and domestic work, and for children who perform other types of hazardous work.	2009 – 2016
	Ensure high standards of safety and care for children in government-run shelters, including by providing them adequate clothing and food and by expanding shelter capacity to prevent overcrowding.	2016

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In 2016, Guinea made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted a new Penal Code that strengthens the maximum penalties for certain crimes related to the worst forms of child labor, such as forced begging. The Government also adopted the National Plan of Action to Fight Against Trafficking in Persons, which will provide protection and social assistance to victims of human trafficking, including children. However, children in Guinea perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in mining and forced begging. The Government lacks a coordinating mechanism and national policy to address all relevant worst forms of child labor. In addition, the Government does not adequately enforce child labor laws or implement social programs to address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Guinea perform dangerous tasks in agriculture.(1-3) Children also engage in the worst forms of child labor, including in mining and forced begging.(4-8) Table 1 provides key indicators on children's work and education in Guinea.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	32.3 (1,152,064)
Attending School (%)	5 to 14	49.6
Combining Work and School (%)	7 to 14	19.2
Primary Completion Rate (%)		61.8

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(9)

Source for all other data: Understanding Children's Work Project's Analysis of Statistics from Demographic and Health Survey (DHS), 2012.(10)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming and carrying heavy loads [†] in the production of cashews, cocoa, and coffee (3, 6, 7, 11)
	Herding livestock (6)
	Capturing and processing fish (2, 6, 7, 12)
Industry	Mining [†] granite, gold, and diamonds (3, 5-8, 13)
	Manufacturing, activities unknown (4, 6)
	Construction, [†] including cement making and carrying materials (3, 4, 6, 14)
Services	Street work, including as market vendors, beggars, petty traders, shoe shiners, and porters in the transportation sector (3, 6, 7, 15-19)
	Working in restaurants and informal cottage industries, including as waitresses (3, 6, 20)
	Domestic work (2, 7, 21)
Categorical Worst Forms of Child Labor [‡]	Forced labor as market vendors and in domestic work, mining, herding, fishing, and farming, each sometimes as a result of human trafficking (4, 6-8, 21)
	Commercial sexual exploitation, sometimes as a result of human trafficking (8, 18, 19)
	Forced begging by Koranic teachers (7, 8, 11, 18, 22)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Children in Guinea are exploited in trafficking internally and abroad for forced labor and commercial sexual exploitation. Some boys are subjected to forced labor in gold and diamond mining, including in Senegal and Mali, while girls are exploited in domestic work and commercial sexual exploitation in various West African and Middle Eastern countries.(6-8, 17, 19, 23)




Boys placed in the care of Koranic teachers for education are forced by their teachers to beg on the street or to work in fields; they must then surrender the money they have earned to their teachers.(7, 8, 11, 17, 18, 22) In addition, through the system of *confiage*, parents who are unable to care for their children send them to relatives or strangers that are expected to provide food, shelter, and schooling to the children in exchange for housework. In practice, some of these children receive care and an education, while many become domestic workers and are victims of labor exploitation and abuse.(3, 7, 8, 15, 23)

Although the Constitution guarantees free compulsory primary education, in practice, many children do not attend school. The lack of school infrastructure cost of school fees and supplies, a shortage of teachers, and reported school violence, all of which impede access to education, which may increase the vulnerability of children to the worst forms of child labor.(7, 17, 18, 24)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Guinea has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

During 2016, the Government of Guinea ratified the UN CRC Optional Protocol on Armed Conflict.(25)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Guinea's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	16	Article 137.5 of the Labor Code; Article 412 of the Child Code (26, 27)
Minimum Age for Hazardous Work	Yes	18	Articles 2–4 of Order 2791 Working Conditions for Employees Aged Under 18 Years; Article 137.4 of the Labor Code (14, 27)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 415–418 of the Child Code; Articles 2 and 4 of Order 2791 Working Conditions for Employees Aged Under 18 Years; Article 135 of the Mining Code; Article 137.6 of the Labor Code (14, 26-28)
Prohibition of Forced Labor	Yes		Articles 194, 195, and 323 of the Penal Code; Articles 4 and 137.6 of the Labor Code; Articles 356–360, 385, and 397–399 of the Child Code (26, 27, 29)
Prohibition of Child Trafficking	Yes		Articles 195, 323, and 324 of the Penal Code; Articles 356–360 and 385 of the Child Code (26, 29)

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Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 346, 347, 348, and 355 of the Penal Code; Articles 356–360 of the Child Code (26, 29)
Prohibition of Using Children in Illicit Activities	Yes		Article 137.6 of the Labor Code; Article 383 of the Child Code, Article 344 of the Penal Code (26, 27, 29)
Minimum Age for Military Recruitment	N/A*		
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 429 of the Child Code (26)
Non-state Compulsory	Yes	18	Article 792.7 of the Penal Code; Article 429 of the Child Code (26, 29)
Compulsory Education Age	Yes	16	Article 6, Title 1 of Education Decree 97/196-/PRG/SGG (30)
Free Public Education	Yes		Article 23 of the Constitution (31)

* No conscription (32)

In 2016, the Government of Guinea adopted a new Penal Code that strengthens the penalties for certain criminal offenses related to the worst forms of child labor, including forced begging.(17, 29, 33, 34)

Guinean law prohibits hazardous occupations and activities for children; however these prohibitions do not cover agriculture, an area that shows evidence of work in unhealthy environments that expose children to hazardous substances and dangerous equipment.(3, 6, 7, 14, 27) A revised Child Code that contains a more specific list of hazardous child labor activities in all relevant sectors was developed, but it was not approved during the reporting period.(12, 17, 18) In addition, although Article 2.6 of Order 2791 prohibits children under age 18 from working in mines and quarries, Article 135 of the Mining Code allows children between ages 16 and 18 to work in mines and quarries as assistants, leaving the possibility for children to work in hazardous activities.(14, 28)

The law allows children between the ages of 12 and 14 to perform light work in sectors such as domestic work and agriculture.(14, 26) However, the law does not prescribe the number of hours per week for light work, nor specify the conditions in which light work may be undertaken, as defined by international standards on child labor.(35) The minimum age protections under the law do not apply to children in unpaid or non-contractual work.(3, 21, 27, 34, 35)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MOL)	Enforce all labor laws, including those related to child labor.(3, 36) Chairs the Child Labor Monitoring and Surveillance System, which aims to identify and remove children from exploitative labor conditions.(4, 18)
Office for the Protection of Gender, Children, and Morals (OPROGEM) Special Police Unit	Enforce laws related to the protection of minors, including the worst forms of child labor.(3, 8, 19)
Ministry for Social Action, Promotion of Women and Children (MASPFE)	Provide protection and social services for victims of child labor and human trafficking.(7, 17)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Guinea took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	53 (12)	53 (12)
Number of Child Labor Dedicated Inspectors	2 (12)	2 (17)
Inspectorate Authorized to Assess Penalties	No (12)	Yes (17)
Training for Labor Inspectors		
Initial Training for New Employees	No (12)	No (17)
Training on New Laws Related to Child Labor	N/A	No (17)
Refresher Courses Provided	No (12)	No (17)
Number of Labor Inspections	0 (12)	250 (17)
Number Conducted at Worksite	N/A (12)	250 (17)
Number Conducted by Desk Reviews	N/A (12)	0 (17)
Number of Child Labor Violations Found	0 (12)	0 (17)
Number of Penalties Imposed	0 (12)	0 (17)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (12)	N/A (17)
Number of Penalties Imposed That Were Collected	No (12)	No (17)
Routine Inspections Targeted	No (12)	No (12)
Unannounced Inspections Permitted	Unknown	Yes (17)
Unannounced Inspections Conducted	No (12)	Yes (17)
Complaint Mechanism Exists	Yes (12)	Yes (17)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (12)	No (17)

In 2016, the Ministry of Labor (MOL) had 20 inspectors in Conakry and 1 inspector in each of the country's 33 regional offices.(12, 17) The number of labor inspectors is insufficient for the size of Guinea's workforce, which includes over 5.3 million workers. According to the ILO recommendation of 1 inspector for every 40,000 workers in less developed economies, the Guinea should employ roughly 135 inspectors.(12, 37-39) Reports indicate a lack of trained staff, equipment, transportation, and funding to conduct child labor inspections and legal proceedings.(3, 17, 40)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Guinea took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Unknown
Refresher Courses Provided	Unknown	Unknown
Number of Investigations	2 (41)	7 (41)
Number of Violations Found	Unknown	7 (17)
Number of Prosecutions Initiated	0 (12)	1 (17)
Number of Convictions	0 (12)	0 (17)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (12)	Yes (17)

During the reporting period, the Office for the Protection of Gender, Children, and Morals (OPROGEM) had 23 agents in Conakry and one in each of the country's 33 regional offices.(34) OPROGEM remained understaffed, underfunded, and without adequate office supplies, transportation, and fuel to effectively enforce laws related to the worst forms of child labor.(8, 17) In addition, corruption in law enforcement agencies and the judiciary impeded government efforts to combat the worst forms of child labor.(8)

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In January 2016, the Ministry for Social Action, Promotion of Women and Children (MASPFE), provided reintegration services to 50 children that were being trafficked to Senegal.(17) Reports indicate that social services available to victims were not adequate to meet the needs of the victims. As a result, the Government relied on NGOs to provide shelter and other basic services to victims.(8, 17, 33)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established a coordination mechanism on human trafficking, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Committee to Fight Against Trafficking in Persons (CNLTP)	Coordinate anti-human-trafficking efforts, including for children. Led by the MASPFE, includes representatives from OPROGEM, MOL, and other ministries.(7, 19, 42) Met to develop the National Plan of Action to Fight Against Trafficking in Persons, which was approved in 2016.(8, 41)
Committee for Monitoring, Protection, and Defense of the Rights of the Child (CGSDE)	Implement, coordinate, and monitor Government efforts on child protection. Led by MASPFE.(17, 19) In 2016, drafted a report that identified child protection activities carried out by various government ministries to improve coordination efforts.(34)

Budgets for these committees remained limited during the reporting period and impacted their ability to operate and coordinate efforts to address child labor, including all its worst forms.(8, 17, 19)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plan of Action to Fight Against Trafficking in Persons†	Aims to enhance the legal framework to prevent human trafficking, raise awareness of trafficking in persons, and provide protection and care for victims. Led by the CNLTP.(8, 18, 43) In 2016, received \$38,000 for implementation.(33, 42)
Education Sector Program (2015–2017)	Aims to increase access to primary, secondary, and technical and vocational education, particularly for vulnerable populations. The strategy is overseen by the Ministry of Education and supported by international donors.(44, 45)

† Policy was approved during the reporting period.

Research was unable to determine whether activities were undertaken under the Education Sector Program during the reporting year. Although the Government of Guinea has adopted a policy on Trafficking in Persons, research found no evidence of a general child labor policy.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor†

Program	Description
Decent Work Country Program (2016–2019)*	Includes activities to develop a National Action Plan for the elimination of child labor and its worst forms. Overseen by the MOL and supported by the ILO.(46)
Plan Guinea-Conakry Program	Aims to strengthen the capacity of key actors to improve children's rights in the areas of education, survival, and protection.(15) In 2016, provided 45,000 IT educational kits to various primary schools.(47)
UNICEF Country Program (2013–2017)	UNICEF funded program that supports the Government's efforts to improve education, birth registration rates, social inclusion, and strengthening the child protection response to the Ebola virus disease outbreak.(48)

Table 10. Key Social Programs to Address Child Labor[†] (cont)

Program	Description
World Bank Country Program	World Bank projects in Guinea that aim to increase access to quality basic education and youth employment, improve school infrastructure, and strengthen safety nets for vulnerable populations, especially those affected by the Ebola virus disease outbreak.(49-53)

* Program was launched during the reporting period.

† The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms. (54-56)

Although the Government of Guinea has implemented programs in children's rights and education, research found no evidence that it has carried out programs specifically designed to assist children in agriculture, domestic work, mining, and street work.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Guinea (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the types of work that children perform in Guinea that fall into an R.190 category, such as agriculture, are prohibited to children under age 18.	2014 – 2016
	Ensure that all children are prohibited from participating in hazardous mining.	2010 – 2016
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2015 – 2016
	Ensure that the minimum age provisions apply to children in unpaid or non-contractual work.	2009 – 2016
Enforcement	Increase the resources, training, and number of criminal law enforcement officials and labor inspectors to adequately enforce child labor laws.	2009 – 2016
	Publish complete information on labor inspectorate funding and training for labor inspectors and criminal investigators related to laws and regulations on child labor, including its worst forms.	2011 – 2016
	Strengthen labor law enforcement by authorizing the inspectorate to initiate targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2015 – 2016
	Establish a referral mechanism between MOL and MASPFE to protect and rehabilitate children involved in child labor, including its worst forms.	2016
	Address corruption in law enforcement agencies and the judiciary that impedes efforts to combat the worst forms of child labor.	2015 – 2016
Coordination	Establish coordinating mechanisms to combat child labor, including all its worst forms.	2010 – 2016
	Ensure that the CNLTP and CGSDE receive adequate funding to fulfill their mission.	2010 – 2016
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor.	2014 – 2016
	Ensure that the Education Sector Program is implemented.	2016
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children by (1) increasing school infrastructure and teacher availability, (2) removing school-related fees, and (3) ensuring the safety of children in schools.	2010 – 2016
	Conduct research to determine the activities carried out by children in manufacturing to inform policies and programs.	2013 – 2016
	Ensure that social services are properly funded and adequate to meet the needs of victims of the worst forms of child labor.	2010 – 2016
	Institute programs to address the worst forms of child labor, including in agriculture, domestic work, mining, and street work.	2010 – 2016

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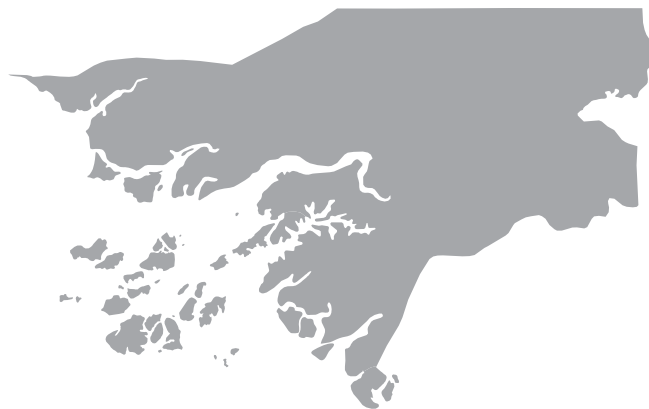
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In 2016, Guinea-Bissau made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government approved a Code of Conduct against Sexual Exploitation in Tourism and the National Committee to Prevent and Combat Trafficking in Persons developed proposals to support the reintegration of repatriated talibé children. In addition, the Education and Justice Ministries worked together and developed a pilot to introduce birth registration services in 45 primary schools. However, children in Guinea-Bissau are engaged in the worst forms of child labor, including in forced begging. The Government has not determined the types of hazardous work prohibited for children. In addition, law enforcement officials do not receive the appropriate training and resources to effectively conduct inspections and prosecute cases of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Guinea-Bissau engage in the worst forms of child labor, including in forced begging.(1-3) According to a 2015 national child labor survey, 39 percent of children ages 5 to 17 engage in child labor, with a high prevalence in the Cacheu region; however, the full survey results have not been published.(4, 5) Table 1 provides key indicators on children's work and education in Guinea-Bissau.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (%)	5 to 14	57.4
Attending School (%)	5 to 14	68.1
Combining Work and School (%)	7 to 14	48.4
Primary Completion Rate (%)		62.2

Source for primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2016.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 5, 2014.(7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including the production of cashews (2, 8)
	Fishing, activities unknown (9)
Services	Domestic work (2)
	Street work, including car washing and shoe shining (9)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 10, 11)
	Forced labor in domestic work, agriculture, and street work, including begging, each sometimes as a result of human trafficking (1-3, 11)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

In Guinea-Bissau, organized networks of traffickers affiliated with Koranic schools force boys to beg within the country and in Guinea, Mali, and Senegal.(1) Although many Koranic school teachers provide religious education as traditionally intended, some force the students, known as *talibés*, to beg on the streets for money and food.(9) Most *talibés* originate from the predominantly Muslim areas of Bafatá and Gabú in the east of the country.(11)




Boys are forced to work in street vending in Guinea-Bissau; they are trafficked for forced labor in agriculture and mining in Senegal.(1, 11) Boys from neighboring countries are forced to beg and harvest cashews in Guinea-Bissau.(11) Girls are subjected to forced labor in street vending and domestic work in Guinea and Senegal.(1) Girls are engaged in commercial sexual exploitation in the Bijagós Archipelago of Guinea-Bissau, on mainland Guinea-Bissau in bars and hotels, and in Senegal.(1, 10, 11)

Continued Government instability may have impacted the Government's ability to address the worst forms of child labor.(12)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Guinea-Bissau has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Guinea-Bissau's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	14	Article 146 of the General Labor Law (13)
Minimum Age for Hazardous Work	Yes	18	Article 148 of the General Labor Law (13)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 148 of the General Labor Law (13)
Prohibition of Forced Labor	Yes		Articles 2, 4, and 15 of the Law to Prevent and Combat Human Trafficking; Article 106 of the Penal Code; Child Code (1, 14, 15)
Prohibition of Child Trafficking	Yes		Articles 2, 4, and 15 of the Law to Prevent and Combat Human Trafficking; Child Code (1, 15)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 3–5 of the Law to Prevent and Combat Human Trafficking; Articles 134 and 136 of the Penal Code (14, 15)
Prohibition of Using Children in Illicit Activities	Yes		Articles 3 and 7 of the Decree on Narcotic Substances (16)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Article 1 of Law No. 3/80 (17)
State Voluntary	Yes	17	Article 31 of Law No. 4/99 (18)
Non-state Compulsory	No		
Compulsory Education Age	Yes	15 [‡]	Articles 12 and 13 of the Education System Law (19, 20)
Free Public Education	No		Article 12(2) of the Education System Law (19)

[‡] Age calculated based on available information(19, 20)

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The law's minimum age protections do not apply to children who are self-employed.(13, 20)

The General Labor Law prohibits children under age 18 from conducting heavy work, work in unhealthy or dangerous conditions, and underground work; however, the types of hazardous work prohibited for children do not cover street work, an area of work where there is evidence of exposure to physical, psychological, or sexual abuse.(13)

The Education System Law states that basic education is compulsory and lasts 9 years; however, it only makes basic education free through grade six, leaving children in grades seven to nine without access to free basic education.(19)

Research did not uncover a public version of the Child Code for review.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Inspectorate General of Labor and Social Security	Enforce child labor legislation in collaboration with the Ministries of Interior and Justice, and the National Institute for Women and Children (INMC).(12)
Ministry of Interior's Public Order Police and National Guard	Combat child labor through the prevention of child trafficking.(8, 9)
Judicial Police's Women and Child Brigade	Investigate the worst forms of child labor and refer cases to INMC and NGOs; brigade comprises 10 officers.(12)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Guinea-Bissau took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (21)	Unknown
Number of Labor Inspectors	22 (12)	22 (12)
Inspectorate Authorized to Assess Penalties	Unknown	Unknown
Training for Labor Inspectors		
Initial Training for New Employees	No (21)	No (22)
Training on New Laws Related to Child Labor	N/A (21)	N/A
Refresher Courses Provided	No (21)	No (22)
Number of Labor Inspections	Unknown	103 (12)
Number Conducted at Worksite	Unknown	103 (12)
Number Conducted by Desk Reviews	Unknown	0 (12)
Number of Child Labor Violations Found	0 (21)	4 (22)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	0 (12)
Number of Penalties Imposed that Were Collected	N/A	N/A (12)
Routine Inspections Conducted	Unknown	Yes (22)
Routine Inspections Targeted	Unknown	Yes (22)
Unannounced Inspections Permitted	Unknown	Yes (12)
Unannounced Inspections Conducted	Unknown	Yes (12)
Complaint Mechanism Exists	Unknown	No (12)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	No (12)

In 2016, the Government reported that the number of labor inspectors was insufficient. In addition, enforcement of child labor laws remains challenging due to the lack of resources for inspections and insufficient training for labor inspectors.(12)

During the reporting period, the Government conducted 10 child labor specific inspections. Four children were removed from child labor as a result of labor inspections; however, these children did not receive social services.(12)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Guinea-Bissau took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	No (21)	Yes (22)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (21)	N/A
Refresher Courses Provided	No (21)	Yes (22)
Number of Investigations	1 (23)	0 (22)
Number of Violations Found	Unknown (21)	0 (22)
Number of Prosecutions Initiated	0 (21)	0 (12)
Number of Convictions	0 (21)	0 (12)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown	No (12)

In 2016, the Government reported that training for criminal law enforcement officials and resources for criminal investigations was insufficient.(12)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established the National Committee to Prevent and Combat Trafficking in Persons, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Committee to Prevent and Combat Trafficking in Persons	Coordinate Government efforts to combat human trafficking. Led by the National Institute for Women and Children (INMC).(24) In 2016, developed funding proposals to support the reintegration of repatriated <i>talibé</i> children to their families.(12)
INMC	Coordinate with NGOs and other partner organizations to rehabilitate and reintegrate child victims of exploitation.(9) In 2016, conducted awareness campaigns to encourage the Attorney General to conduct the appropriate follow-up for violations of the worst forms of child labor.(12)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan on Human Trafficking	Guides the Government's efforts to prevent and combat trafficking in persons.(24)
Code of Conduct Against Sexual Exploitation in Tourism†	Seeks to raise awareness on commercial sexual exploitation of children and child trafficking in Guinea-Bissau, particularly in the Bijagós Archipelago.(25)
UN Country Partnership Framework	Aims to assist in promoting free and universal birth registration, enforcing human trafficking provisions, and implementing the National Strategy for Social Protection of Children.(26)
UNDAF (2013–2017)	Aims to assist in implementing a national action plan against child labor.(27)

† Policy was approved during the reporting period.

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In 2016, the Government began drafting a new National Strategy for Social Protection.(22) Although the Government has adopted the National Action Plan on Human Trafficking, research found no evidence of a policy on other worst forms of child labor.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
UNICEF Country Program	UNICEF-funded program in collaboration with the Government to prevent and combat child trafficking in the most disadvantaged communities through education and social protection mechanisms.(28)
Friends of the Child (<i>Amigos da Criança</i>) Shelters [‡]	Donor-funded program, with Government support, implemented by an NGO that provides social services to vulnerable children, including victims of the worst forms of child labor. Research found that the two shelter facilities lack the financial and human resources needed to adequately assist victims.(1, 29)

[†] Program is funded by the Government of Guinea-Bissau.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(30)

In 2016, the National Children's Parliament, which receives support from the Government, conducted a child sex trafficking awareness campaign in the Bijagós Archipelago.(25) Although Guinea-Bissau has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Guinea-Bissau (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all children are protected by law, including children who are self-employed.	2015 – 2016
	Ensure that the hazardous occupations and activities prohibited for children are comprehensive.	2009 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Ensure that all 9 years of basic education are free.	2015 – 2016
	Make the Child Code publicly available.	2014 – 2016
Enforcement	Publish law enforcement data, including information on the labor inspectorate funding and the ability of the inspectorate to assess penalties.	2009 – 2016
	Ensure that a sufficient number of law enforcement officials receive proper training and resources to inspect, investigate, and prosecute cases of child labor.	2009 – 2016
	Establish a mechanism to receive child labor complaints.	2016
	Establish referral mechanisms to ensure children found during labor inspections and criminal investigations are referred to social service providers.	2016
Coordination	Establish coordinating mechanisms to combat child labor, including in all its worst forms.	2016
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as forced begging.	2016
Social Programs	Publish the complete results of the national child labor survey.	2013 – 2016
	Ensure facilities have adequate resources to assist victims of the worst forms of child labor.	2015 – 2016
	Expand existing programs to address the scope of the child labor problem.	2009 – 2016

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Guyana

MODERATE ADVANCEMENT

In 2016, Guyana made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government reformed the Inter-Ministerial Taskforce on Combating Trafficking in Persons, began developing a National Action Plan and Policy on Child Labor, and finalized the 2017–2018 National Action Plan on Combating Trafficking in Persons. However, children in Guyana continue to engage in the worst forms of child labor, including in mining and commercial sexual exploitation, sometimes as a result of human trafficking. Law enforcement agencies have insufficient funding and capacity to enforce laws related to child labor, including its worst forms, and legislation does not fully protect children. Moreover, the Government does not have a comprehensive policy to combat child labor or targeted social programs to fully address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Guyana engage in the worst forms of child labor, including in mining and commercial sexual exploitation, sometimes as a result of human trafficking.(1-11) The 2014 Multiple Indicator Cluster Survey indicated that children living in Guyana’s interior are more likely to be engaged in child labor than other children, with 37 percent of children ages 5 to 17 living in the interior engaged in child labor. The survey also indicated that 41 percent of children living in an Amerindian household engage in child labor, with 34 percent of these children engaged in hazardous work.(1) Table 1 provides key indicators on children’s work and education in Guyana.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (%)	5 to 14	20.1
Attending School (%)	5 to 14	97.1
Combining Work and School (%)	7 to 14	22.1
Primary Completion Rate (%)		84.1

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2016.(12)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5) Survey, 2014.(13)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including the production of rice (2, 3, 5-8, 11, 14-16)
	Forestry, including logging,† preservation of lumber, and work in sawmills† (1, 3, 5-8, 11, 14)
	Fishing,† activities unknown (5, 8)
Industry	Construction,† activities unknown (5)
	Mining,† including gold mining and bauxite mining (1, 3, 5-8, 11, 14, 17, 18)
Services	Domestic work (2, 5)
	Working in scrap iron yards (2)
	Working in family stores, bars, and restaurants (2, 5, 19)
	Street work, including vending and begging (2, 5, 6, 15, 16)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (2-11, 14-16, 20)
	Planting marijuana (2)
	Domestic servitude (5)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.







Children in Guyana, including girls as young as age 12, are involved in commercial sexual exploitation in Georgetown and in the country’s interior. There are reports of young girls being subjected to commercial sexual exploitation in mining communities as a result of human trafficking.(2, 4, 9, 10)

Although the Constitution of Guyana guarantees free education, some primary schools continue to charge fees and have attempted to prevent children who cannot pay from attending school.(21) In efforts to address this problem, the Ministry of Education has publicized guidance advising parents and educators that only the Parent Teacher Association has the authority to approve and collect fees from parents, and that no child may be excluded from school for non-payment.(21) Children in Guyana’s interior and rural areas have limited access to education due to poor infrastructure, transportation costs, and a shortage of trained and qualified teachers. This leads to decreasing enrollment and high dropout rates among students.(2, 22)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Guyana has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Guyana’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Articles 2–3 of the Employment of Young Persons and Children Act; Articles 17–22 of the Education Act (23, 24)
Minimum Age for Hazardous Work	No	18	Part 1, Article 2 and Part 2, Article 3 of the Employment of Young Persons and Children Act; Articles 17, 41, 46, and 75 of the Occupational Safety and Health Act (23, 25)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		List of Hazardous Occupation and Processes in Guyana; Part 1, Article 2 of the Employment of Young Persons and Children Act; Articles 17, 41, and 75 of the Occupational Safety and Health Act (23, 25, 26)
Prohibition of Forced Labor	Yes		Article 40 of the Constitution; Article 3 of the Combating of Trafficking in Persons Act (27, 28)
Prohibition of Child Trafficking	Yes		Article 3 of the Combating of Trafficking in Persons Act (28)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	No		Article 50(3) of the Protection of Children Act; Article 3(2) of the Combating of Trafficking in Persons Act (28, 29)
Prohibition of Using Children in Illicit Activities	No		Article 50(1) of the Protection of Children Act (29)
Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 18 of the Defense Act (30, 31)
Non-state Compulsory	No		
Compulsory Education Age	Yes	15	Articles 13 and 22 of the Education Act (24)
Free Public Education	Yes		Article 27 of the Constitution (27)

* No conscription (7, 32)

Although the Employment of Young Persons and Children Act prohibits night work in industrial undertakings, as well as hazardous work for anyone under age 18, the law does not fully protect adolescents ages 16 and 17 from engaging in hazardous work. Part 1, Article 2 of the Employment of Young Persons and Children Act only prohibits night work for minors employed in industry and provides an exception allowing adolescents ages 16 and over to perform certain work requiring continuity through day and night, including gold mining reduction work and the production of iron, steel, glass, paper, and raw sugar, without provisions to ensure that their health, safety, and morals are fully protected or that they receive specific instruction or training in these activities.(23)

Guyanese law does not sufficiently prohibit all commercial sexual exploitation of children as laws related to pornography and pornographic performances do not prohibit the use, procuring, and offering of a child for each of these purposes.(14, 28, 33) Although Article 50(1) of the Protection of Children Act prohibits selling or giving drugs to children, the law does not specifically prohibit the use, procuring, or offering of a child for the production and trafficking of drugs.(29)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Social Protection	Monitor and enforce child labor laws in collaboration with the Ministry of Education, Forestry Commission, Geology and Mines Commission, National Insurance Scheme, and Guyana Police Force. The chief labor officer handles special investigations stemming from child labor complaints and oversees routine labor inspections.(6, 14) Includes the Childcare and Protection Agency, to which children identified during labor inspections are referred.(6)
Guyana Police Force	Enforce criminal laws related to the worst forms of child labor, including human trafficking, commercial sexual exploitation, and the use of children in illicit activities. Works in consultation with the Director of Public Prosecutions, the Ministry of Public Security, the Ministry of Social Protection, the Ministry of Education, and the Ministry of Indigenous Peoples' Affairs, depending on the circumstances of each case.(6)
Ministry of Public Security	Lead enforcement of human trafficking laws. Chair the Inter-Ministerial Task Force on Combating Trafficking in Persons.(6)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Guyana took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (6)	Unknown (3)
Number of Labor Inspectors	18 (6)	15 (3)
Inspectorate Authorized to Assess Penalties	No (3)	No (3)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	N/A (34)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (6)	Yes (3)
Number of Labor Inspections	892 (6)	1,000 (3)
Number Conducted at Worksite	892 (6)	1,000 (3)
Number Conducted by Desk Reviews	Unknown	0 (3)
Number of Child Labor Violations Found	0 (6)	2 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	0 (3)
Number of Penalties Imposed That Were Collected	N/A	0 (3)
Routine Inspections Conducted	Yes (6)	Yes (3)
Routine Inspections Targeted	Unknown	Yes (3)
Unannounced Inspections Permitted	Yes (6)	Yes (3)
Unannounced Inspections Conducted	Yes (6)	Yes (3)
Complaint Mechanism Exists	Yes (6)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (6)	Yes (3)

The number of labor inspectors is insufficient for the size of Guyana's workforce, which includes over 300,000 workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Guyana should employ roughly 21 inspectors.(35-37) There are insufficient labor inspections conducted in gold mining areas, and there are sometimes delays in accessing the resources necessary for inspections in remote areas.(6, 14) The Government has acknowledged challenges in monitoring and enforcing the provisions established in Articles 41 and 46 of the Occupational Safety and Health Act, which aim to protect children from work that may harm their physical health or emotional development.(38)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Guyana took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	N/A (34)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (39)	Yes (3)
Number of Investigations	7 (40)	2 (3)
Number of Violations Found	Unknown	2 (3)
Number of Prosecutions Initiated	4 (40)	0 (3)
Number of Convictions	1 (39)	0 (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (6)	Yes (3)

The Government has acknowledged that there is an insufficient number of staff members within the Trafficking in Persons Unit.(39) In general, the Government's capacity to carry out prosecutions is limited. With only 33 justices and magistrates, the courts have a backlog of cases and more than a 2-year waiting period on all legal matters.(6-8) Furthermore, human trafficking victims may be charged for crimes occurring as a result of their being exploited if authorities do not identify them

as victims of human trafficking.(4, 41) The Government lacks child-sensitive investigation and prosecution procedures, which put children at risk of reprisal.(4)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established the Inter-Ministerial Task Force on Combating Trafficking in Persons, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Inter-Ministerial Taskforce on Combating Trafficking in Persons	Report on the nature and magnitude of human trafficking in Guyana, document the Government's response, and carry out public education and prevention measures.(42) Combats, through the participation of member agencies, commercial sexual exploitation of children and the use of children in illicit activities.(6) Chaired by the Minister of Public Security. Other members include the Ministries of Amerindian Affairs, Natural Resources and Environment, Education, Legal Affairs, and Foreign Affairs.(6, 14) In January 2016, the Government reformed the taskforce, which did not meet during 2015.(4) The taskforce convened on a monthly basis during 2016 and completed work on the 2017–2018 National Action Plan in December 2016.(3)
National Tripartite Committee	Address national labor legislation and policy. Includes representatives from government agencies, labor unions, and employers, including the Ministry of Social Protection, the Consultative Association of Guyanese Industries, the Guyana Trades Union Congress, and the Federation of Independent Trade Unions of Guyana.(6, 40, 43)
Commission on the Rights of the Child	Protect and promote children's rights in accordance with the UN CRC, which includes addressing the worst forms of child labor.(6)

In January 2016, the Ministries of Business, Natural Resources, Social Protection, and Indigenous Peoples' Affairs participated in a forum organized by UNICEF Guyana, the Government of Guyana, and UNICEF Canada to discuss the impact of the extractive sector on children in Guyana. Speakers indicated that the lack of coordination mechanisms and resources impede efforts to combat child labor and human trafficking.(44, 45)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
Inter-Ministerial Task Force on Combating Trafficking in Persons Action Plan	Seeks to prevent and raise awareness of human trafficking, provide direct assistance to victims, improve law enforcement's capacity to identify and respond to human trafficking, and strengthen interagency coordination and referral mechanisms.(3, 41, 46)

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(8, 47)

The Government has not included child labor elimination and prevention strategies in the 5-Year Strategic Plan on the Rights of the Child (2012–2017) or the National Education Policy.(8, 47) The Government does not have a comprehensive written strategy for combating and responding to child labor but began developing a National Action Plan and Policy on Child Labor during the reporting period.(3, 6, 14)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Human Trafficking Hotline†	Government-funded hotline to assist human trafficking victims.(4)
Shelter for Domestic Violence Victims†	Government-funded, NGO-run shelter that houses victims of domestic violence and human trafficking. Provides services, including psychological counseling and practical skills training.(7) Accommodates teenage girls under age 16 who are placed at the shelter at the request of the Government’s Childcare and Protection Agency.(14) Receives \$50,000 annually from the Government.(20)
School Meals and Uniforms†	Government program to provide hot meals to 16,000 students at schools in the interior and transportation for students in several remote areas. All students in government-run schools, from nursery to secondary school, receive vouchers to purchase school uniforms, shoes, and backpacks.(6, 8, 11, 48)
Child Advocacy Center	Ministry of Social Protection and NGO partnership to provide services for abused children. Overseen and referrals made to the center by the Ministry of Social Protection’s Childcare and Protection Agency; funded by private sector donations.(41, 49)
Board of Industrial Training†	Attempts to deter early school dropouts by providing job skills to at-risk youth between ages 15 and 17 who may not be able to complete their formal education.(6)

† Program is funded by the Government of Guyana.

The scope of government programs targeting the worst forms of child labor is insufficient to fully address the extent of the problem.(6, 14) In particular, government resources provided to victims of human trafficking are inadequate.(20)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Guyana (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law fully protects all children under age 18 from engaging in hazardous work, including night work.	2010 – 2016
	Ensure that the law sufficiently prohibits all commercial sexual exploitation of children by prohibiting the use, procuring, and offering of a child for pornography and pornographic performances.	2010 – 2016
	Ensure that the law sufficiently prohibits the use of children for illicit activities by prohibiting the use, procuring, or offering of a child for the production or trafficking of drugs.	2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
Enforcement	Increase the number of labor inspectors trained and responsible for providing enforcement of child labor laws to meet international standards.	2015 – 2016
	Publish information on the labor inspectorate’s funding.	2015 – 2016
	Authorize the labor inspectorate to assess penalties.	2016
	Ensure that sufficient resources are allocated in a timely manner to facilitate labor inspections, particularly in remote areas and in gold mining areas.	2011 – 2016
	Ensure the appropriate application of Articles 41 and 46 of the Occupational Safety and Health Act.	2015 – 2016
	Dedicate more resources, including judicial personnel, to investigate and prosecute court cases related to the worst forms of child labor.	2010 – 2016
	Ensure that victims of human trafficking are not charged for committing crimes as a result of being subjected to human trafficking.	2014 – 2016
Coordination	Develop and implement child-sensitive investigation and prosecution procedures for child victims of human trafficking.	2016
Coordination	Establish coordinating mechanisms to combat child labor, including all its worst forms, and ensure that these bodies engage in regular meetings and coordination efforts.	2014 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into the 5-Year Strategic Plan on the Rights of the Child (2012–2017) and the National Education Policy.	2010 – 2016
	Establish a comprehensive strategy for combating child labor.	2014 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Social Programs	Ensure that children are not prevented from attending school because of transportation costs or failure to pay school fees.	2014 – 2016
	Increase the number of trained and qualified teachers, particularly in rural and interior areas.	2015 – 2016
	Develop new initiatives and expand existing programs to reach all children, including Amerindian children and children living in the interior, involved in the worst forms of child labor; in particular, increase funding to identify and assist victims of human trafficking.	2010 – 2016

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In 2016, Haiti made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted the National Social Protection Policy, which aims to provide protection and social assistance for child victims of abuse, violence, and labor exploitation. The Government also obtained its first three convictions for child trafficking under the 2014 Anti-Trafficking in Persons Law and established an emergency working group to assess human trafficking risks due to 2016 Hurricane Matthew. In addition, the Government continued to participate in a number of programs targeting the worst forms of child labor, including a new program to combat child trafficking along the border with the Dominican Republic. However, children in Haiti perform dangerous tasks in agriculture and domestic work. Haiti also lacks a clear, easily applicable minimum age for domestic work, and limited resources for the systematic enforcement of child labor laws impede government efforts to protect children from the worst forms of child labor. In addition, social programs to combat child labor are insufficient to adequately address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Haiti perform dangerous tasks in agriculture and domestic work.(1-6) Table 1 provides key indicators on children's work and education in Haiti. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	34.4 (815,993)
Attending School (%)	5 to 14	92.4
Combining Work and School (%)	7 to 14	34.9
Primary Completion Rate (%)		Unavailable

Primary Completion Rate was unavailable from UNESCO Institute for Statistics, 2016.(7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Enquête Mortalité, Morbidité et Utilisation des Services (EMMUS-V), 2012.(8)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Preparing land for planting; fertilizing fields; sowing; pruning; weeding; thinning; and guarding in relation to the production of bananas, beans, corn, peanuts, peas, rice, cassava, and yams (1, 2)
	Harvesting sugarcane, collecting cut sugarcane, grinding sugarcane, and clearing land for sugarcane production (2)
	Herding and caring for cows, donkeys, goats, pigs, sheep, and poultry (1)
	Capturing and processing fish (2, 9)
	Processing produce, including removing shells, husks, stones; winnowing; and drying (1)
Industry	Construction, including transport of construction materials such as sand and rocks (2, 6, 9)
	Producing metal crafts (10)
Services	Domestic work (3-5, 11-13)
	Street work, including vending, begging, shining shoes, washing cars, and carrying goods and luggage in public markets and bus stations (6, 9, 14, 15)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [‡]	Forced labor in domestic work, agriculture, and as street vendors and beggars, each sometimes as a result of human trafficking (3, 5, 6, 9, 13, 16, 17)
	Use in illicit activities, including by criminal groups as messengers and to carry weapons or transport drugs (6, 17)
	Commercial sexual exploitation, sometimes as a result of human trafficking (6, 9, 18, 19)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

A 2015 study found that there are approximately 286,000 child domestic workers in Haiti, 207,000 of which were lagging behind in school.(12, 13, 16) Some parents unable to care for their children send them to residential care centers, or to relatives or strangers who are expected to provide food, shelter, and schooling to these children in exchange for household work. In practice, some of these children receive care and access to education, while many others become victims of labor exploitation and abuse.(3-6, 11, 13, 20)

Children are trafficked both internally and to the Dominican Republic. NGOs have reported that children illegally crossing the Haiti-Dominican Republic border are often accompanied by adults who are paid to act as the children’s parents or guardians until they reach the Dominican Republic.(17, 21-23) Some of these children are reunited with relatives in the Dominican Republic, while others engage in commercial sexual exploitation, domestic work, agriculture, street vending, and begging.(3, 9, 23-25)

During 2016, the Government of the Dominican Republic continued with the involuntary repatriations of individuals with irregular migration status to Haiti, pursuant to Dominican law.(13, 26) Many of these individuals, including children, are Dominican-born persons of Haitian descent.(27) As of the end of 2016, reports indicate that 97,854 individuals migrated spontaneously to Haiti, including 2,551 unaccompanied minors.(25) Some of these children were residing in camps in Haiti near the border with the Dominican Republic, where schools and other basic services are not available. In addition, these children may not speak French or Haitian Creole, the languages of instruction in public Haitian schools.(6, 13, 16, 28) Children, including those who have been deported to Haiti or who left spontaneously are vulnerable to child labor, including its worst forms.(9, 26, 28)




The Constitution of Haiti provides free and compulsory primary education. (29-31) In addition, while many children in Haiti are not registered at birth, unregistered children are able to access social assistance services and educational programs provided by the Government.(32) However, public schools often charge fees for books, uniforms, and school materials. As private schools represent approximately 90 percent of available schools, most Haitian children are enrolled in private schools that charge tuition and other fees, which make education prohibitive to many families.(6, 13, 33, 34) Other children, especially in rural areas, simply do not attend school. Out-of-school children are more vulnerable to the worst forms of child labor.(6, 16)

In October 2016, Haiti was hit by Hurricane Matthew, which displaced over 175,000 people, including children.(13, 35) It also damaged at least 1,633 schools, affecting school attendance for an estimated 190,000 children that, coupled with the suspension of other social services and destruction of infrastructure, increased children’s vulnerability to human trafficking and labor exploitation.(20, 36-38)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Haiti has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Haiti’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	15	Article 335 of the Labor Code (39)
Minimum Age for Hazardous Work	Yes	18	Article 334 of the Labor Code; Article 2 of the Act on the Prohibition and Elimination of All Forms of Abuse, Violence, Ill Treatment, or Inhumane Treatment Against Children (Act of 2003) (39, 40)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 333–336 of the Labor Code (39)
Prohibition of Forced Labor	Yes		Article 4 of the Labor Code; Article 2 of the Act of 2003; Article 1.1.11 of the Anti-Trafficking in Persons Law (39-41)
Prohibition of Child Trafficking	Yes		Article 2 of the Act of 2003; Article 1.1.1 of the Anti-Trafficking in Persons Law (40, 41)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 2 of the Act of 2003; Articles 279–281 of the Penal Code; Article 1.1.17 of the Anti-Trafficking in Persons Law (40-42)
Prohibition of Using Children in Illicit Activities	Yes		Article 72 of the Law on the Control and Suppression of Illicit Drug Trafficking; Article 2 of the Act of 2003 (40, 43)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	N/A†		
Non-State Compulsory	Yes	18	Articles 70 of the Penal Code, Article 2 of the Act of 2003 (40, 42)
Compulsory Education Age	Yes	15	Article 23 of the Decree on the Reorganization of the Haitian Education System (30, 31)
Free Public Education	Yes		Articles 32.1 and 33 of the Constitution (29)

* No conscription (44)

† No standing military (44)

Article 335 of the Labor Code sets the minimum age for contractual work at 15 in industrial, agricultural, and commercial establishments. The Labor Code only applies to workers who perform work under a formal employment agreement.(39, 45) Article 340 provides penalties for the employment of children ages 15 to 18 without proper work permits or health certificates. However, the limited penalties, usually the equivalent of between \$45 and \$75, are not sufficient deterrents to protect children against labor exploitation.(39, 40) Although there is not a specific penalty for employing children under the minimum age for work, Article 513 of the Labor Code notes that a fine of \$81 may be applied to labor violations with unspecified fines. These fines, however, may not be adequate to deter violations.(39)

It is unclear whether there is a minimum age for domestic work as the Act on the Prohibition and Elimination of All Forms of Abuse, Violence, Ill Treatment, or Inhumane Treatment Against Children of 2003 (Act of 2003) annulled Chapter 9 of the Labor Code that had set a minimum age for domestic work at age 12.(39, 40, 45) The Government has drafted legislation that would set the minimum age for domestic work at 15 years, but that legislation has not been enacted.(46, 47)

The Labor Code prohibits children ages 15 to 18 from working at night in industrial jobs and in establishments where alcohol is served.(39) However, the types of hazardous work prohibited for children do not cover agriculture, an area of work where children are exposed to hazardous substances, agents, or to temperatures damaging to their health. The Government of Haiti's draft hazardous work list for children under the age of 18 remained unapproved by Parliament during the reporting period; nevertheless, the current draft does not include all tasks in which children perform dangerous work, such as harvesting, collecting, and grinding sugarcane.(46-49)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and most enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Social Affairs and Labor (MAST)	Enforce laws related to child labor by receiving complaints, conducting investigations, and referring cases to juvenile courts.(39, 45, 50) MAST's Institute of Social Welfare and Research (IBESR) agents perform child protection inspections and are responsible for accrediting residential care centers. Develop and implement programs to raise awareness of child labor and provide social services to child victims of labor exploitation. (5, 20, 45, 50, 51)
Brigade for the Protection of Minors (BPM)	Investigate crimes of the worst forms of child labor, including child trafficking and commercial sexual exploitation. BPM agents submit investigations to judicial authorities for criminal prosecutions and refer child victims to IBESR.(5, 20, 51) Housed under the Haitian National Police.(9)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Haiti took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	Unknown	11 (52)
Inspectorate Authorized to Assess Penalties	No (52)	No (52)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to Child Labor	Yes (15)	No (53)
Refresher Courses Provided	Unknown	Yes (20)
Number of Labor Inspections	Unknown	Unknown
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	Unknown	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown
Number of Penalties Imposed that Were Collected	Unknown	Unknown
Routine Inspections Conducted	No (52)	No (52)
Routine Inspections Targeted	No (52)	No (52)
Unannounced Inspections Permitted	Unknown	Unknown
Unannounced Inspections Conducted	Unknown	Unknown

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Complaint Mechanism Exists	Yes (15)	Yes (15)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (15)	Yes (15)

The number of labor inspectors from the Ministry of Social Affairs and Labor (MAST) is insufficient for the size of Haiti's workforce, which includes over 4.5 million workers. According to the ILO's recommendation of 1 inspector for every 40,000 workers in less developed countries, Haiti should employ roughly 115 labor inspectors. (54-56)

In 2016, MAST's Institute of Social Welfare and Research (IBESR) employed 150 agents throughout Haiti; these included 48 child protection agents and approximately 20 social workers to handle child protection cases, including those involving child labor.(20, 57) Each IBESR regional bureau includes a child protection section that employs 5 to 7 agents. IBESR agents received training on addressing exploitation of child domestic workers during the reporting period.(20, 57-59) To deter child trafficking, IBESR established a policy during the reporting period that requires parents to obtain IBESR's authorization before they can take their children across Haiti's land border with the Dominican Republic.(20) Despite these efforts, reports indicate that the lack of sufficient resources, such as means of transportation, fuel, and appropriately equipped workplaces, hampered MAST's efforts, including IBESR's capacity to enforce child labor laws.(20, 52)

IBESR also manages the "133" hotline that receives complaints about situations requiring child protection.(9, 60) However, the hotline functions exclusively in Port-au-Prince, leaving rural areas without a mechanism to receive child labor complaints.(60) In addition, the number of calls related to child labor received during 2016 is unknown.

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Haiti took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (15)	Yes (53)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (15)	No (53)
Refresher Courses Provided	Unknown	Unknown
Number of Investigations	Unknown	772 (61)
Number of Violations Found	Unknown	182 (53)
Number of Prosecutions Initiated	Unknown	3(61)
Number of Convictions	Unknown	3(61)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (15)	Yes (15)

In 2016, the Brigade for the Protection of Minors (BPM) maintained a staff of 45 agents in 24 offices around the country, including in 4 offices along the Haiti-Dominican Republic border.(20, 49, 52) Given the prevalence of the worst forms of child labor in the country, the number of criminal law enforcement agents is inadequate.(20) Reports indicate that BPM investigated 772 cases of child trafficking, child abuse, and commercial sexual exploitation of children.(9, 20, 61) During 2016, the first three convictions for child trafficking under the 2014 Anti-Trafficking in Persons Law took place.(20) Despite these efforts, reports indicate that the BPM's lack of trained staff, equipment, transportation, and funding hampered their ability to enforce laws related to the worst forms of child labor.(9, 15, 20)

An informal referral mechanism between BPM, IBESR, and NGOs is in place to provide reintegration services to victims of the worst forms of child labor.(20) Although a report indicates that resources and facilities for social services are inadequate, BPM assisted 2,983 children in 2016 through referrals to social services and medical assistance, reintegration into their families, , and family mediation.(20) BPM also manages the "188" hotline which receives notifications of alleged violations related to the worst forms of child labor.(15) However, like the IBESR hotline, the "188" hotline functions exclusively in

Port-au-Prince, which makes reporting cases involving the worst forms of child labor more difficult in rural areas.(62) In addition, the number of calls related to child labor received in 2016 is unknown.

In 2016, law enforcement and judiciary officials received training on the 2014 Anti-Trafficking in Persons Law and on addressing the worst forms of child labor during natural disasters, such as Hurricane Matthew.(15) Despite these efforts, work remains to be done to ensure that relevant officials, particularly in the provinces, are aware of the law and methods of implementation.(9, 16, 20)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Tripartite Commission for the Elimination of the Worst Forms of Child Labor	Elaborate policies, approve programs, and coordinate, monitor, and evaluate efforts to combat child labor in Haiti. Chaired by MAST includes representatives from IBESR, and BPM, as well as local and international organizations.(63, 64) In 2016, met to update the draft National Action Plan to Combat Child Labor, and included specific programs to address child labor in domestic work.(16, 47)
National Committee for the Fight Against Trafficking in Persons	Coordinate actions against trafficking in persons and provide protection and rehabilitation services to victims. Chaired by IBESR, includes representatives from MAST, BPM, and other ministries.(9, 41, 65) During the reporting period, received a budget of \$140,000 to establish an emergency working group to assess human trafficking risks due to Hurricane Matthew, and partnered with international organizations to launch the “840” free hotline to enable citizens to report human trafficking cases.(9, 20, 66, 67)
Child Protection Working Group	Implement, coordinate, and monitor efforts on child protection, including protection for child domestic workers. Chaired by IBESR comprises officials non-governmental stakeholders and officials from various ministries.(68, 69) In 2016, the Working Group met to design an action plan to address issues raised in the study on the prevalence of child domestic work.(47)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Trafficking in Persons (2015–2017)	Aims to enhance the legal framework to prevent human trafficking, effectively implement laws related to human trafficking, provide protection and care for victims, and strengthen social and educational initiatives for vulnerable children. Led by the National Committee for the Fight Against Trafficking in Persons.(9, 65, 70)
National Social Protection Policy (2016–2020)†	Aims to protect children from abuse, violence, and labor exploitation and promotes improved access to education and livelihood services for vulnerable children, with a focus on domestic workers. Led by IBESR and supported by international donors.(71, 72)
National Strategic Development Plan (PSDH) (2014–2019)	Highlights the need to prohibit child labor in order to ensure sustained and equitable economic growth. Overseen by the Ministry of Planning and External Cooperation and the Ministry of Economy and Finance.(73, 74) In 2016, the Plan was extended to 2019.(75)
National Action Strategy for Education for All (2011–2017)	Aims to increase access to quality primary education, particularly for vulnerable populations, by subsidizing school fees for both public and private schools. The strategy is overseen by the Ministry of Education and supported by international donors.(76, 77). For the 2015–2016 school year, provided free tuition-fee waivers to nearly 73,000 children.(78)

† Policy was approved during the reporting period.

During the reporting period, the Government did not approve the National Action Plan to Combat Child Labor, drafted in 2014.(16, 47, 63). In addition, reports indicate that efforts to implement the National Action Plan to Combat Trafficking in Persons have been slowed by an insufficient allocation of resources. (9, 20)

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VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
<u>Let's Work for Our Rights- Haiti</u> (2015–2017)	\$9.99 million USDOL-funded project implemented by Catholic Relief Services to provide services to households and children engaged in or at-risk of engaging in child labor or other exploitative working conditions in agriculture.(79, 80) In 2016, the project reached 688 children and adolescents with educational services and provided more than 1,016 households with legal assistance to obtain identity documentation, prevent and reduce child labor, and support labor rights.(33, 79) For additional information about USDOL's work, please visit our Web site .
<u>Global Action Program on Child Labor Issues</u> (2011–2017)	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016, established by the Hague Global Child Labor Conference in 2010. In 2016, the project trained MAST inspectors on international child labor standards and drafted a roadmap to strengthen legal protections and social services delivery for child domestic workers.(81, 82) For additional information about USDOL's work, please visit our Web site .
Protecting the Rights of Children, Women, and Youth in Haiti (AKSE) (2012–2017)	\$22.5 million USAID-funded project supports a partnership between the Government and the private sector to assist child victims of gender-based violence, human trafficking, commercial sexual exploitation, forced domestic work, and recruitment into criminal activity.(83)
Assisting Vulnerable Women and Children in Border Areas (2016–2017)*	\$4.5 million Government of Canada-funded project implemented by IOM to combat child trafficking and protect Haitian migrants, especially children and women, along the border with the Dominican Republic.(25, 84)
Combat Child Labor in Domestic Work and the Worst Forms of Child Labor (2015–2016)	\$914,616 Government of Norway-funded project combat exploitation of child domestic workers by increasing access to education.(59)
National Free Education Program (PSUGO)†	Government program to increase poor children's access to education. Includes school grants intended to eliminate school fees and accelerated learning programs for students who are lagging behind in school.(62, 85) For the 2016–2017 school year, established a budget of approximately \$6 million for public school grants.(86)
UNICEF Country Program	\$24 million UNICEF-funded program supports the Government's efforts to improve education, health, social inclusion, and protection for children in Haiti. In 2016, implemented projects to protect child domestic workers from exploitation and provide reintegration and educational services to unaccompanied children returning from the Dominican Republic, as well as children affected by Hurricane Matthew.(32, 87, 88)
Government Child Shelter, Census, and National Child Protection Database†	Government program to support child protection. IBESR implements the Government's regulatory framework for residential care centers (e. g., orphanages and shelters), collects information on vulnerable children, and tracks them through the National Child Protection Database.(20) In 2016, an IBESR assessment that identified almost 30,000 children residing in 770 shelters nationwide.
Providing an Education of Quality in Haiti (2016–2017)*	\$30 million World Bank-implemented program aims to strengthen public management of the education sector, improve learning conditions, and increase enrollment of students in selected public and non-public primary schools.(89)

* Program was launched during the reporting period.

† Program is funded by the Government of Haiti.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(90, 91)

Despite IBESR's efforts to collect information for the National Child Protection Database, it does not fully capture all relevant information, including the number of displaced street children and children engaged in domestic work.(60) Although Haiti has programs that target the worst forms of child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly in domestic work, agriculture, and child trafficking.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Haiti (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that minimum age protections apply to children in informal employment agreements.	2014 – 2016
	Clarify the minimum age for domestic work.	2009 – 2016
	Ensure that the hazardous occupations and activities prohibited for children are comprehensive, such as work in hazardous agricultural environments.	2009 – 2016
Enforcement	Publish information on labor inspectorate funding, whether labor inspectors received adequate training, the number and type of labor inspections, violations, and penalties related to child labor.	2013 – 2016
	Create meaningful penalties for employing children in contravention of the Labor Code.	2009 – 2016
	Ensure that the number of labor inspectors and criminal law enforcement agents, as well as training and resources, are adequate to effectively enforce laws related to child labor, including its worst forms.	2013 – 2016
	Authorize the inspectorate to assess penalties.	2013 – 2016
	Improve institutional mechanisms and practices to ensure that child laborers identified during labor inspections or through other enforcement efforts receive appropriate social services.	2013 – 2016
	Strengthen MAST's and IBESR's enforcement capacity by initiating routine or targeted child protection inspections, rather than by performing inspections solely based on complaints received.	2013 – 2016
	Expand the hotlines operated by BPM and IBESR to facilitate reporting of child exploitation cases in areas beyond Port-au-Prince, including in rural areas; publish information related to the number of calls related to child labor.	2013 – 2016
Government Policies	Approve the National Action Plan to Combat Child Labor.	2016
	Ensure that appropriate funding exists to effectively implement the National Action Plan to Combat Trafficking in Persons.	2016
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children by — <ul style="list-style-type: none"> ■ Removing school-related fees in public schools; ■ Increasing the number of schools, especially in rural areas and in camps near the border with the Dominican Republic; ■ Repairing school infrastructure, especially in areas affected by Hurricane Matthew; and ■ Ensuring that private schools offer instruction in both French and Haitian Creole. ■ Meeting the specific educational needs of vulnerable populations, including recent arrivals from the Dominican Republic. 	2009 – 2016
	Expand the National Child Protection Database, including by identifying displaced street children and children in domestic work.	2010 – 2016
	Expand existing social programs to address the scope of the child labor problem, particularly in domestic work, agriculture, and child trafficking.	2010 – 2016

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Haiti

MODERATE ADVANCEMENT

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In 2016, Honduras made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted a Strategic Plan to Prevent and Eliminate Child Labor for 2016–2020 and a Strategic Plan to Combat Commercial Sexual Exploitation and Human Trafficking for 2016–2022. The Secretariat of Labor and Social Security increased the number of labor inspectors from 135 to 151 to better enforce labor laws, including those on child labor, throughout the country. In addition, the Ministry of Education invested \$3.5 million to build schools in some of the poorest municipalities, where children are at risk of child labor. However, children in Honduras engage in the worst forms of child labor, including in agriculture and commercial sexual exploitation as a result of human trafficking. The Secretariat of Labor and Social Security did not provide training on child labor to all labor inspectors. The Government’s social programs that address child labor in agriculture do not appear sufficient to address the scope of the problem nationwide, and the Government lacks social programs to eliminate child labor in other dangerous activities, such as fishing, mining, and domestic work.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Honduras engage in the worst forms of child labor, including in agriculture and commercial sexual exploitation as a result of human trafficking.(1-7) Table 1 provides key indicators on children’s work and education in Honduras.

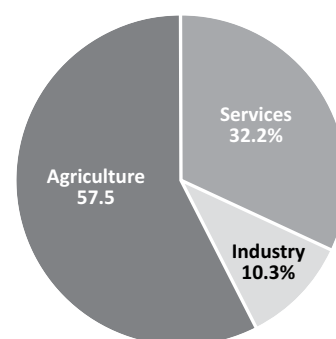
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	8.6 (158,891)
Attending School (%)	5 to 14	87.7
Combining Work and School (%)	7 to 14	6.1
Primary Completion Rate (%)		92.5

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(8)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Encuesta Permanente de Hogares de Propósitos Múltiples (EPHPM) Survey, 2014.(9)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of melon, coffee, sugarcane, and okra (10-17)
	Harvesting mollusks† (18, 19)
	Fishing, including working as divers’ assistants,† and diving for lobster† (1, 2, 14, 20)
Industry	Quarrying limestone† and production of lime† (21-23)
	Artisanal mining† (5, 13, 24, 25)
	Production and sale of fireworks† (26-29)
	Construction,† activities unknown (6, 30)
Services	Street begging and vending† (6, 29, 31)
	Work in repair shops,† including in mechanical repair† (6, 32)
	Washing car windows† and performing at traffic lights† (3, 30, 33)
	Scavenging in garbage dumps† (13, 14, 21, 34)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Services	Work in hotels and laundromats, activities unknown (6)
	Domestic work† (3, 11, 13, 35)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation as a result of human trafficking (3, 4, 7)
	Forced begging (7, 29, 36)
	Use in illicit activities, including by gangs in committing homicides, extortion, and selling and trafficking drugs (7, 29, 30, 37, 38)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




In 2016, Honduras, like El Salvador and Guatemala, continued to be a principal source of high numbers of unaccompanied children from Central America migrating to the United States.(39, 40) Children who lack economic and educational opportunities are the most vulnerable to the worst forms of child labor, including commercial sexual exploitation and recruitment by gangs into illicit activities; these children are among the most likely to migrate. Once en route, they are also vulnerable to human trafficking and commercial sexual exploitation.(41-43) Reports indicate that gangs sometimes threaten families as a means to forcibly recruit children into their ranks, where boys are used to commit extortion, drug trafficking, and homicide, and where girls are engaged in commercial sexual exploitation.(37)

In Honduras, access to education is often limited. Reports indicate that approximately 220,000 children between the ages of 5 and 17 lack access to the educational system.(12) More than 75 percent of these children live in rural areas, where lack of funding for schools and, in many cases, lack of any secondary schools, remain a problem.(12, 38) In urban areas, access to education is often hindered by widespread violence and the recruitment of children into gangs. In addition, school completion rates are low; many children fail to complete primary education and, according to 2011 national data, only 50.5 percent of girls and 37.5 percent of boys completed secondary school.(4, 44) Reports indicate that 20 percent of the Honduran population is of indigenous or African descent and that children from these groups are particularly vulnerable to child labor, including its worst forms.(45, 46)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Honduras has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Honduras’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Article 120 of the Code on Childhood and Adolescence; Article 15 of the Executive Agreement STSS-211-01; Article 32 of the Labor Code; Article 124 of the Constitution (47-50)
Minimum Age for Hazardous Work	Yes	18	Articles 1 and 122 of the Code on Childhood and Adolescence; Articles 2 and 10 of the Executive Agreement STSS-211-01; Article 1 of the Executive Agreement STSS-441-2016 (48, 49, 51)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 1 of the Executive Agreement STSS-441-2016; Article 8 of the Executive Agreement STSS-211-01 (48, 51)
Prohibition of Forced Labor	Yes		Articles 6 and 52 of the Law Against Trafficking in Persons (Decree 59-2012); Articles 2 and 10 of the Executive Agreement STSS-211-01; Articles 179E, 179F and 192 of the Penal Code; Articles 68 and 127 of the Constitution (47, 48, 52, 53)
Prohibition of Child Trafficking	Yes		Articles 6 and 52 of the Law Against Trafficking in Persons (Decree 59-2012); Articles 2 and 10 of the Executive Agreement STSS-211-01; Article 8 of the Legislative Decree 35-2013 (48, 52, 54)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 134 of the Code on Childhood and Adolescence; Articles 6 and 52 of the Law Against Trafficking in Persons (Decree 59-2012); Articles 2 and 10 of the Executive Agreement STSS-211-01; Articles 148 and 149A-E of the Penal Code (48, 49, 52, 53)
Prohibition of Using Children in Illicit Activities	Yes		Article 134 of the Code on Childhood and Adolescence; Article 10 of the Executive Agreement STSS-211-01; Articles 6 and 52 of the Law Against Trafficking in Persons (Decree 59-2012); Article 8 of the Legislative Decree 35-2013 (48, 49, 52, 54)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Articles 2 and 12 of the Executive Agreement STSS-211-01; Article 276 of the Constitution (47, 48)
Non-state Compulsory	Yes	18	Articles 2 and 10 of the Executive Agreement STSS-211-01 (48)
Compulsory Education Age	Yes	17	Articles 8, 13, and 21–23 of the Fundamental Law of Education; Articles 36 and 39 of the Code on Childhood and Adolescence (49, 55)
Free Public Education	Yes		Articles 7, 13, and 21–23 of the Fundamental Law of Education; Article 36 of the Code on Childhood and Adolescence; Article 171 of the Constitution (47, 49, 55)

* No conscription (48, 56)

The Constitution states that a child 16 years old or younger may not work unless it is necessary to sustain his or her family and the work does not interfere with schooling. Honduran statutes build upon the protections in the Constitution.(47) The Labor Code and the Code on Childhood and Adolescence prohibit children under age 14 from working in any circumstances and allow children ages 14 to 17 to work only with written parental consent and authorization from the Secretariat of Labor and Social Security (STSS).(49, 50)

Article 120 of the Code on Childhood and Adolescence and Article 15 of the Executive Agreement STSS-211-01 set the minimum age for work at 14 in all undertakings and without exception for their size.(48, 49) Article 32(1) of the Labor Code also prohibits children under the age of 14 from working. However, children working in agricultural and livestock-raising undertakings that do not permanently employ more than 10 workers are not covered by the Labor Code's minimum age protections because Article 2 of the Labor Code excludes these undertakings from its scope.(50) The ILO has recommended that the Government harmonize the Labor Code with the Code on Childhood and Adolescence to ensure that no child under age 14 is permitted to work, including in agriculture and livestock-raising.(57)

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III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Secretariat of Labor and Social Security (STSS)	Inspect enterprises and enforce child labor laws through the General Inspection Service.(4, 30)
Public Ministry's Office of the Special Prosecutor for Children (OSPC)	Prosecute crimes against children, including trafficking of children, hazardous labor, forced labor, and commercial sexual exploitation. Coordinate with Honduran National Police to investigate crimes and protect victims.(4, 30)
Public Ministry's Technical Agency for Criminal Investigations (ATIC)	Investigate and technically support criminal prosecutions conducted by the Public Ministry, including by the OSPC, such as human trafficking, commercial sexual exploitation, and child pornography.(5, 29, 30)
Prosecutorial Task Force to Combat Criminal Smuggling of Unaccompanied Children and Trafficking in Persons	Investigate and prosecute criminal organizations that engage in the illegal smuggling of unaccompanied children and human trafficking. Created in 2014 and overseen by the Special Prosecutor Against Organized Crime and the Special Prosecutor for Children.(36, 58)
Directorate of Childhood, Adolescence, and Family (DINAF)	Formulate, coordinate, and implement national plans concerning children and their families; monitor children's rights, including by investigating complaints of child labor and ensuring that victims receive government services; and coordinate state efforts with civil society institutions to protect children. Overseen by the Secretariat of Development and Social Inclusion.(29, 59-61)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Honduras took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	135 (29)	151 (62)
Inspectorate Authorized to Assess Penalties	Yes (29)	Yes (62)
Training for Labor Inspectors		
Initial Training for New Employees	N/A (63)	Yes (62)
Training on New Laws Related to Child Labor	Yes (63)	N/A
Refresher Courses Provided	Yes (29)	No (38)
Number of Labor Inspections	Unknown	23,087 (38)
Number Conducted at Worksite	7,188 (29)	Unknown
Number Conducted by Desk Reviews	N/A	Unknown
Number of Child Labor Violations Found	Unknown	13 (62)
Number of Child Labor Violations for Which Penalties Were Imposed	3 (29)	Unknown
Number of Penalties Imposed That Were Collected	3 (29)	Unknown
Routine Inspections Conducted	Yes (29)	Yes (62)
Routine Inspections Targeted	Yes (63)	Yes (62)
Unannounced Inspections Permitted	Yes (29)	Yes (62)
Unannounced Inspections Conducted	Yes (63)	Yes (62)
Complaint Mechanism Exists	Yes (29)	Yes (62)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (29)	No (38)

Labor union confederations, employer organizations, and human rights organizations have indicated that the level of funding and resources for the General Inspection Service is insufficient for inspectors to adequately enforce child labor laws nationwide.(38) The number of labor inspectors is insufficient for the size of Honduras’s workforce, which includes over 3.6 million workers. According to the ILO’s recommendation of 1 inspector for every 15,000 workers in industrializing economies, Honduras should employ roughly 242 labor inspectors.(64-66)

The official process for labor inspections in Honduras includes a preliminary visit, which may be unannounced and through which inspectors identify and inform employers of violations but do not issue fines or citations. Employers are given a specified number of days to remedy violations, including child labor violations, which is typically between 3 and 60 days.(38, 67-69) Inspectors then conduct reinspections to determine whether the violations have been remedied. If they have not, inspectors recommend that the Inspector General of the STSS issue penalties.(68) Reports indicate that if violations involving underage children or children working in hazardous conditions are found during a preliminary inspection, inspectors immediately report them to their supervisors.(70) This two-step inspection process puts an additional strain on the limited human and financial resources of the inspectorate and may not sufficiently deter employers from exploiting children in the workplace, particularly in remote, rural areas where conducting the reinspections is especially challenging. Furthermore, a lack of publicly available information on the results of preliminary and subsequent inspections, including whether child labor violations are ultimately remedied, prevents a complete understanding of how effectively this inspection system protects children from labor exploitation.(71)

The STSS and civil society partners have reported that the number of labor inspections is insufficient to address the scope of labor violations in the country, including child labor violations.(38, 62) Reports indicate that most of the inspections take place in the urban areas of Tegucigalpa and San Pedro Sula. Inspections in rural areas and in indigenous communities, where hazardous activities in agriculture and fishing or diving are concentrated, have been insufficient to address the scope of the problem.(3, 45, 72) The STSS reported that in 2016 it conducted inspections of businesses in agriculture, mining, manufacturing, construction, commerce, and services.(62)

In Honduras, STSS regulations provide a mechanism and procedures for handling complaints regarding child labor. However, NGOs report that, in practice, these procedures are often inadequately followed, largely due to institutional weaknesses and a lack of resources.(29)

The STSS reported that it removed 17 children from child labor during the reporting period: 8 in agriculture, 8 in commercial establishments and services, and 1 in industry.(62) There does not appear to be an effective mechanism for the STSS and DINAF to reciprocally refer cases of child labor to each other.(29, 30, 38) Research could not determine whether the 17 children removed from child labor were referred to DINAF. Reports indicate that in 2016, DINAF lacked sufficient resources to effectively carry out its mandates.(38)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Honduras took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (29, 37)	Yes (61)
Number of Investigations	Unknown	Unknown
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (29)	Yes (61)

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Research could not find the number of investigators employed by the Public Ministry's Office of the Special Prosecutor for Children (OSPC) during the reporting period. Research could also not determine the level of funding for criminal law enforcement agencies in 2016. Reports indicate that the level of funding and resources available to the OSPC and other criminal law enforcement agencies are insufficient to address the worst forms of child labor nationwide.(61)

In 2016, the Government initiated criminal investigations into 48 cases of human trafficking, 13 cases of commercial sexual exploitation, and 1 case of the sale of an individual. However, it is unknown whether the cases under investigation involved child victims.(61) In addition, 27 human trafficking-related investigations were brought to trial in 2016, including 1 case involving the sale of a child and 1 case of child pornography. However, the number of individuals prosecuted for the worst forms of child labor in 2016 is unknown.(61) Reports indicate that there were 15 convictions in 12 criminal cases for trafficking-related crimes in 2016; research could not confirm the total number of individuals convicted for crimes of human trafficking or other worst forms of child labor.(61) Reports indicate that the number of investigations, prosecutions, and convictions of the worst forms of child labor is not sufficient to address the problem.(37)

Research could not determine whether any children rescued by the Public Ministry received services through DINAF, or how many cases of suspected criminal conduct related to the worst forms of child labor were referred by DINAF to the Public Ministry.

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Commission for the Gradual and Progressive Eradication of Child Labor	Coordinate government policies and efforts on child labor issues, including the implementation of the Roadmap for the Eradication of Child Labor in Honduras and the Strategic Plan to Prevent and Eliminate Child Labor (2016–2020). Chaired by the STSS and includes officials from eight government ministries, DINAF, the Supreme Court, and other government entities.(73, 74) Receives guidance from DINAF, which serves as the Commission's Secretary, as well as from a Technical Council, which is overseen by an Executive Secretariat.(73, 74) Oversee regional subcommissions, led by regional representatives of the STSS and DINAF, which implement national efforts locally.(73, 74)
Inter-Institutional Commission Against Exploitation and Commercial Sex Trafficking (CICESCT)	Coordinate government and civil society efforts to combat commercial sexual exploitation and human trafficking, including of children.(33) Comprises representatives from 52 organizations, including several government ministries and NGOs.(33, 52, 75) Oversee 19 local CICESCT committees and implement the Strategic Plan to Combat Commercial Sexual Exploitation and Human Trafficking.(37) In 2016, conducted or participated in more than 60 trainings related to human trafficking issues.(61)
Unaccompanied Children Task Force (UAC Task Force)	Provide for the safe repatriation of unaccompanied migrant children and coordinate their reintegration into their communities of origin. Led by the First Lady and comprising officials from seven government ministries, DINAF, and the National Institute for Migration.(36, 71, 73)
Ministry of Social Development	Coordinate social protection policies and the provision of services to vulnerable populations, including child and adolescent victims of violence, human trafficking, and sexual and economic exploitation.(4)

In 2016, the Government rescinded Executive Decree PCM-057-2015, which had reconstituted the National Commission for the Gradual and Progressive Eradication of Child Labor but failed to provide for the inclusion of relevant civil society organizations.(29, 73, 74, 76) Although a planned, revised decree has not been issued, the National Commission continued to operate in 2016 with the participation of relevant civil society organizations.(38)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[†]

Policy	Description
Roadmap for the Eradication of Child Labor in Honduras	Aims to improve the Government's response to child labor issues. Works at the national, regional, and sub-regional levels and addresses poverty, health education, and social development.(4, 77) Implemented by the STSS.(4, 29)
Strategic Plan to Prevent and Eliminate Child Labor (2016–2020) [†]	Identifies lines of action for preventing and eliminating child labor, including by increasing child labor law enforcement, strengthening engagement with the private sector, developing procedures for inter-agency coordination, and developing social programs to support children removed from child labor.(74) Implemented by the STSS and other executive and judicial branch agencies, as well as employers', workers', and other civil society organizations.(74)
Strategic Plan to Combat Commercial Sexual Exploitation and Human Trafficking in Honduras (2016–2022) [†]	Establishes national priorities to combat commercial sexual exploitation and human trafficking in four principal areas: prevention and awareness; investigation, prosecution, and punishment of violations; detection, assistance, and protection of victims; and coordination and cooperation.(78)
First Public Policy and National Action Plan on Human Rights	Aims to implement the Government's national and international human rights commitments, including those addressing child and forced labor.(30)
Alliance for Prosperity in the Northern Triangle	Aims to create economic growth, increase educational and vocational training opportunities for youth, and reduce violence in Honduras, Guatemala, and El Salvador, in part to decrease the number of unaccompanied minors who leave Honduras and other Central American countries for the United States and who are vulnerable to human trafficking. Signed by the presidents of each country in 2014.(79-81)
U.S.–Honduras Labor Rights Monitoring and Action Plan (2015–2018)	Aims to improve the enforcement of labor laws, including laws related to child labor, by implementing legal and policy reforms, strengthening the STSS, enhancing enforcement activities, and increasing outreach efforts.(82)

[†] Policy was approved during the reporting period.

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(1, 83-87)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
Better Life Voucher (<i>Bono Vida Mejor</i>) [†]	Government conditional cash transfer program that aims to reduce poverty by providing financial assistance to households when children meet educational and health requirements.(75, 88) Objectives include the elimination of child labor.(3) In 2016, expanded to assist nearly 270,000 households.(89)
Program to Combat Child Forced Begging [†]	DINAF program that identifies and rescues children who are subjected to forced begging and raises awareness of child forced begging through media.(30, 72)
Program for the Reintegration of Returned Unaccompanied Migrant Children	Government program that assists unaccompanied migrant children who have been returned to Honduras. Implemented by the National Institute for Migration, the Ministry of Foreign Affairs, DINAF, SEDIS, and the National Center for Social Sector Information.(63) In 2016, assisted 11,137 children.(72)
Program to Prevent Sex Tourism Involving Children and Adolescents [†]	Government program that aims to raise awareness and provide training on sex tourism for the tourism industry. Implemented by the Honduran Tourist Board, the Ministry of Tourism, and the Tourism Institute.(4, 90)
School Meals Program [†]	Ministry of Education program, implemented with support from the WFP and by the Office of the First Lady, that provides school lunches to students to improve nutrition and bolster attendance.(30, 71, 73) In 2016, program's coverage expanded from 1.3 to 1.4 million students.(73, 91)
USDOL-Funded Projects	\$13 million Youth Pathways Central America (2015–2019); \$7 million Bright Futures (2014–2018); Country Level Engagement and Assistance to Reduce Child Labor II ; and Global Action Program on Child Labor Issues . Additional information is available on the USDOL Web site .
USAID-Funded Projects	USAID-funded projects, including Honduran Youth Alliance, which focuses on gang prevention, including for vulnerable youth; Strengthening Capacity to Build a Culture of Peace (FORPAZ), which aims to improve citizen security, including for at-risk youth; and Improving Education for Work, Learning, and Success (METAS), which aims to increase educational opportunities for youth.(72, 92)

[†] Program is funded by the Government of Honduras.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(3, 30, 93)

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In 2016, the Ministry of Education invested \$3.5 million to build schools in some of the poorest municipalities, where children are at increased risk of child labor.⁽⁸⁹⁾ Although the Government of Honduras funds or participates in social programs that aim to eliminate child labor in forced begging, commercial sexual exploitation, and the illegal recruitment of children into gang-related activities, research did not identify programs that specifically target children working in other dangerous activities, such as fishing, mining, and domestic work. In addition, social programs that address child labor in agriculture do not appear sufficient to address the scope of the problem nationwide.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Honduras (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that minimum age protections in the Labor Code extend to agricultural and stock-raising undertakings that do not permanently employ more than 10 workers to ensure consistency with the protections provided in the Code on Childhood and Adolescence.	2013 – 2016
Enforcement	Publish information on the level of funding provided to the labor inspectorate.	2015 – 2016
	Ensure adequate funding for the STSS, including resources for sufficient numbers of labor inspectors according to the ILO's recommendation and for labor inspections in areas where child labor is prevalent, such as rural areas and indigenous communities where children engage in agriculture and fishing or diving.	2010 – 2016
	Ensure that all labor inspectors receive training on child labor, and make information about the initial training for new criminal investigators publicly available.	2014 – 2016
	Ensure that the two-step inspection system does not undermine effective child labor law enforcement.	2011 – 2016
	Publish information on whether labor inspections are conducted at worksites or by desk review, and on the sanctions imposed and penalties collected as a result of inspections.	2012 – 2016
	Ensure adequate resources for STSS to follow the established procedures for responding to child labor complaints.	2015 – 2016
	Ensure that there is an effective, reciprocal referral mechanism between the STSS and DINAF for the enforcement of labor laws and the provision of social services for child labor victims, and publicly report on the number of children removed from child labor who receive social services.	2014 – 2016
	Ensure that DINAF has sufficient resources to effectively carry out its mandates regarding child protection issues.	2015 – 2016
	Publish information on the level of funding for all criminal law enforcement agencies that respond to crimes concerning the worst forms of child labor.	2015 – 2016
	Ensure adequate resources are provided to the OSPC to effectively investigate and prosecute crimes concerning the worst forms of child labor.	2014 – 2016
Coordination	Publish information on the number of criminal investigations, violations, prosecutions, and convictions regarding the worst forms of child labor.	2015 – 2016
	Publish information on the number of rescued children who receive social services, as well as the number of children referred by social services to criminal law enforcement agencies.	2015 – 2016
	Ensure that relevant civil society organizations are included in the National Commission for the Gradual and Progressive Eradication of Child Labor.	2016
Social Programs	Increase access to education by increasing funding to schools and building more schools, particularly in rural areas.	2014 – 2016
	Expand social programs that address child labor in agriculture, and create programs that aim to eliminate child labor in other dangerous activities, such as fishing, mining, and domestic service.	2009 – 2016

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Honduras

MODERATE ADVANCEMENT

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India

MODERATE ADVANCEMENT

In 2016, India made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted the Child Labor (Prohibition and Regulation) Amendment Act, which set the minimum age for work at 14 and raised the minimum age for hazardous work to 18, bringing India into compliance with the international standards. The Government also increased the financial assistance available under the Rehabilitation of Bonded Labor Scheme for children rescued from human trafficking and sexual exploitation. However, children in India are engaged in the worst forms of child labor, including in forced labor in the production of garments and quarrying stones. The hazardous work list attached to the new Child Labor Amendment Act is not comprehensive as it does not include areas of work where there is evidence that children work in unsafe and unhealthy environments for long periods of time. Also, while the Child Labor Act increases the penalties for employing children in prohibited child labor, these penalties are likely to be insufficient to deter violations. Additional gaps remain in the legal framework as the recruitment of children by non-state armed groups is not criminally prohibited.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in India engage in the worst forms of child labor, including in forced labor in the production of garments and quarrying stones.(1, 2) Table 1 provides key indicators on children’s work and education in India.

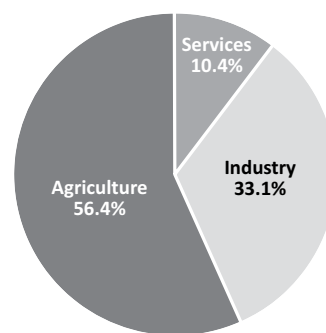
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	1.4 (3,253,202)
Attending School (%)	5 to 14	90.7
Combining Work and School (%)	7 to 14	0.3
Primary Completion Rate (%)		97.5

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(3)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from National Sample Survey, 2011–2012.(4)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including producing hybrid cottonseed and hybrid vegetable seeds, cultivating and ginning cotton, cultivating chili pepper and rice, and harvesting sugarcane, tobacco, and tea (5-18) Milling rice and processing cashew nuts and seafood (19-23)
Industry	Manufacturing garments, weaving silk fabric and carpets, producing raw silk thread (sericulture), spinning cotton thread and yarn, and embellishing textiles with silver and gold (<i>zari</i>) (12, 24-32) Manufacturing glass bangles, † locks, and brassware, and polishing gems (33-40) Rolling cigarettes (<i>bidis</i>) and manufacturing incense sticks (<i>agarbatti</i>), † fireworks, † and matches † (41-45) Manufacturing footwear and bags, producing leather goods or accessories, † and stitching soccer balls (46-50) Producing bricks, quarrying and breaking stones, including sandstone and granite, and mining † and collecting mica and coal (2, 16, 51-64)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Services	Domestic work (65)
	Working in hotels, food service, and tourism services (66, 67)
	Street work, including selling food and other goods, and scavenging and sorting garbage (49, 68, 69)
	Construction work, and repairing automobiles and motorcycles (70, 71)
Categorical Worst Forms of Child Labor [‡]	Forced labor in agriculture, including producing hybrid cottonseed and harvesting sugarcane, both sometimes as a result of human trafficking (6, 72-74)
	Forced labor in rice mills, quarrying stones, and producing bricks (2, 52, 74-80)
	Forced labor in producing garments, spinning cotton thread and yarn, embroidering silver and gold into textiles (<i>zari</i>), carpets, leather goods, plastic goods, bangles, footwear, and bags (1, 26-29, 81-91)
	Forced labor in domestic work and begging, both sometimes as a result of human trafficking (65, 74, 92, 93)
	Commercial sexual exploitation, sometimes as a result of human trafficking (74, 94, 95)
	Forced recruitment of children by non-state armed groups for use in armed conflict (74, 96, 97)
	Use in illicit activities, including the use of children to traffic children (98)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Within India, children are trafficked for commercial sexual exploitation and forced labor in domestic service.(12, 74, 95, 99) Children are also forced to work as bonded laborers in brick kilns and stone quarries to pay off family debts owed to moneylenders and employers.(2, 100) Children from India’s rural areas migrate or are trafficked for employment in industries, such as spinning mills and cottonseed production, where they are forced to work in hazardous environments for little or no pay.(6, 26) In addition, Maoist armed groups reportedly recruited children to serve as soldiers in the states of Bihar, Chhattisgarh, Jharkhand, Maharashtra, Odisha, and West Bengal.(74, 96, 97)

Child victims of commercial sexual exploitation, forced labor, and human trafficking are more likely to be children from marginalized groups, such as low-caste Hindus, members of tribal communities, and religious minorities.(74) Children from marginalized groups also face barriers to accessing education. These children are sometimes subject to discrimination and harassment from their teachers. One report notes that some of these children are refused admission into schools.(79, 101)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

India has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

In March 2017, the Government ratified both ILO Convention 182 and Convention 138.(102)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in India’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Section 3(1) of the Child Labor (Prohibition and Regulation) Act (103)
Minimum Age for Hazardous Work	Yes	18	Section 3A of the Child Labor (Prohibition and Regulation) Act (103)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Schedule to the Child and Adolescent Labour (Prohibition and Regulation) Act (104)
Prohibition of Forced Labor	Yes		Section 4 of the Bonded Labor System (Abolition) Act; Sections 370 and 374 of the Penal Code; Section 79 of the Juvenile Justice (Care and Protection of Children) Act (105-107)
Prohibition of Child Trafficking	Yes		Sections 366A, 366B, 370, 372 and 373 of the Indian Penal Code; Section 5 of the Immoral Traffic (Prevention) Act (106, 108)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 366A, 366B, 370A, 372 and 373 of the Indian Penal Code; Sections 4–7 of the Immoral Traffic (Prevention) Act; Sections 13–15 of the Protection of Children from Sexual Offense Act; Section 67B of the Information Technology Act (106, 108-110)
Prohibition of Using Children in Illicit Activities	Yes		Sections 76 and 78 of the Juvenile Justice (Care and Protection of Children) Act; Section 32B(c) of the Narcotic Drugs and Psychotropic Substance Act (107, 111)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	16	Military Regulations (112, 113)
Non-State Compulsory	No		
Compulsory Education Age	Yes	15	Section 3 of the Right of Children to Free and Compulsory Education Act (114)
Free Public Education	Yes		Section 3 of the Right of Children to Free and Compulsory Education Act (114)

* No conscription (115)

In 2016, the Government approved the Child Labor (Prohibition and Regulation) Amendment Act, which establishes a minimum age for work at 14 and raised the minimum age for hazardous work to 18.(103) In 2017, the Government amended the Child Labor Act’s hazardous work list to include a schedule of occupations where all children under 18 are prohibited from working and children under 14 are prohibited from helping, including family enterprises.(104) This hazardous work schedule is not comprehensive as children under 18 are not prohibited from working in spinning mills, garment production, carpet making, and domestic work, which are areas of work where there is evidence that children work in unsafe and unhealthy environments for long periods of time.(104) In addition, while the Act increases the penalties for violating the Child Labor Amendment Act, the penalties are likely insufficient to deter employers from employing children in prohibited child labor.(116) Penalties for violating the law include imprisonment for 6 months to 2 years and/or fines ranging from \$300 to \$700.(103)

During the reporting period, the Jharkhand State government also passed the Jharkhand Private Employment Agency and Domestic Employee Bill, which prohibits employment placement agencies from employing children under the age 18.(117)

Gaps remain in the legal framework as the recruitment of children under 18 by non-state armed groups is not criminally prohibited.(116)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
State Government Labor Inspectorates	Enforce state and national labor laws. Refer cases in violation of the law to state police.(49) Refer children to Child Welfare Committees for protection and rehabilitation services.(107)
State and Local Police	Enforce laws pertaining to child labor and human trafficking.(118) Submit information to District Magistrates to determine if a case should be prosecuted in District Court.(119) Refer children to Child Welfare Committees for protection and rehabilitation services.(107)
Anti-Human Trafficking Units	Investigate cases of human trafficking. Established in 226 local police jurisdictions throughout India.(120)
Vigilance Committees	Rescue, release, and rehabilitate bonded laborers and family members. Assembled at the district and subdivision levels by the District Magistrate.(105)
State Revenue Department	Issue release certificates to free bonded laborers and family members from debt.(121)
Child Welfare Committees	Refer children in need of care and protection to welfare services providers under the Integrated Child Protection Scheme, including children involved in hazardous work, begging, and human trafficking, as well as those living on the streets.(107) Established in 619 of India's 660 districts.(122)
Central Bureau of Investigation's Anti-Human Trafficking Unit	Investigate and prosecute cases involving the kidnapping and trafficking of women and children by professional gangs operating across multiple states. Take on cases by request of, or in agreement with, state governments.(123, 124)

Labor Law Enforcement

In 2016, labor law enforcement agencies in India took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown* (116)	Unknown* (116)
Number of Labor Inspectors	Unknown* (116)	Unknown* (116)
Inspectorate Authorized to Assess Penalties	Yes (125)	Yes (116)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (116)	Yes (116)
Training on New Laws Related to Child Labor	N/A	Unknown (116)
Refresher Courses Provided	Yes (116)	Yes (116)
Number of Labor Inspections	146,595 (116)	Unknown (116)
Number Conducted at Worksite	Unknown (116)	Unknown (116)
Number Conducted by Desk Reviews	Unknown (116)	Unknown (116)
Number of Child Labor Violations Found	678 (116)	Unknown (116)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown* (116)	Unknown* (116)
Number of Penalties Imposed that Were Collected	Unknown* (116)	Unknown* (116)
Routine Inspections Conducted	Yes (116)	Yes (116)
Routine Inspections Targeted	Yes (116)	Yes (116)
Unannounced Inspections Permitted	Yes (116)	Yes (116)
Unannounced Inspections Conducted	Yes (116)	Yes (116)
Complaint Mechanism Exists	Yes (116)	Yes (116)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (116)	Yes (116)

* The Government does not publish this information.

The Constitution of India gives state governments primary responsibility for the enforcement of labor laws.(118, 126) While the central government seeks to collect data on child labor violations and prosecutions, this information for 2016 was not yet released during the reporting period. The central government also does not collect data on state government and territory funding and employment of labor inspectors.(127)

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Criminal Law Enforcement

In 2016, criminal law enforcement agencies in India took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (128)	Unknown
Number of Investigations	5,188 (129)	Unknown
Number of Violations Found	2,166 (129)	Unknown
Number of Prosecutions Initiated	1,735 (129)	Unknown
Number of Convictions	72 (129)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (107)	Yes (107)

The Constitution of India gives state governments primary responsibility for criminal law enforcement, including laws prohibiting the worst forms of child labor.(126) The National Crime Records Bureau (NCRB) collects data from state government on investigations, violations, prosecutions, and convictions involving criminal activities, but not all states report these data.(129) Data published is for the previous reporting period.(129)

According to the NCRB, during 2015 there were 136 investigations, 71 violations, 65 new prosecutions and 108 cases continuing prosecutions from 2014, and 1 conviction in cases involving the Bonded Labor System (Abolition) Act; however, these data were not disaggregated for adults and children.(129)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Central Monitoring Committee	Supervise, monitor, and evaluate actions of the National Child Labor Projects (NCLPs) across India. Led by MOLE; some state governments maintain State-Level Monitoring Committees to monitor the NCLPs in their states.(130)
Core Group on Child Labor	Coordinate the integration of social protection programs to reduce child labor. Composed of members from the Ministries of Human Resource Development; Women and Child Development; Housing and Urban Poverty Alleviation; Rural Development; Social Justice and Empowerment; Home Affairs; and community government (<i>Panchayati Raj</i>). Chaired by the Ministry of Labor and Employment (MOLE).(131)
Ministry of Home Affairs' Anti-Human Trafficking Cell	Implement the Government's nationwide plan to combat human trafficking by coordinating with states to establish Anti-Human Trafficking Units and train thousands of officials to combat human trafficking. Requires states to submit quarterly reports to this coordinating body.(49, 118)
National Human Rights Commission	Monitor implementation of the Bonded Labor System (Abolition) Act. Monitor state government actions to identify, release, and rehabilitate bonded laborers through quarterly submissions and exploratory and investigative missions.(132, 133)
National Commission for the Protection of Child Rights	Ensure that all laws, policies, programs, and administrative mechanisms are in accordance with the constitutional protections for children and the UN CRC. Inquire about child rights violations and failures to properly implement laws relating to child protection.(49, 134) Established in all 30 states and in 3 territories, including Delhi.(135)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
National Policy on Child Labor	Describes actions for combating hazardous child labor for children, including implementing legislation and providing direct assistance to children.(136) During the reporting period, the policy was implemented through programs operated by MOLE and Ministry of Women and Child Development (MWCD).(137, 138)
State Action Plans on Child Labor	Details state governments' activities and programs to eliminate child labor from hazardous industries. Only 10 of 29 state governments have child labor action plans: Andhra Pradesh, Bihar, Gujarat, Jharkhand, Karnataka, Maharashtra, Meghalaya, Orissa, Tamil Nadu, and Telangana.(139-144)
National Policy for Children	Seeks to guide laws, policies, plans, and programs affecting children. Sets out the policy that state governments should take all necessary measures to track; rescue; and rehabilitate child laborers, trafficked children, and other vulnerable children; and to ensure that out-of-school children can access education.(145) During the reporting period, the policy was implemented through programs operated by MOLE and MWCD.(133, 138)

[‡] The Government had other policies which may have addressed child labor issues or had an impact on child labor.(146, 147)

In 2016, the Ministry of Women and Child Development issued Standard Operating Procedures for investigating cases of missing children, including cases of bonded labor, exploitative child labor, child trafficking.(148, 149)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
National Child Labor Project (NCLP) Scheme [†]	MOLE scheme that operates at the district level to identify working children, withdraw them from hazardous work, and provide them with education and vocational training. Sets up and administers NCLP schools, mainstreams children into formal education, and provides them with stipends, meals, and health checkups.(137) Comprises 2,860 NCLP special training centers that accommodate approximately 130,000 children. Through the Grants-in-Aid Scheme, MOLE funds NGOs to set up rehabilitation projects in districts that do not have an NCLP Scheme.(137) Between April 1, 2015, and March 31, 2016, rehabilitated 54,335 child workers who were rescued from hazardous work conditions.(116)
Rehabilitation of Bonded Labor Scheme [†]	MOLE program that rescues and rehabilitates adult and child bonded laborers. Provides rescued bonded laborers with financial assistance and social protection services.(150) Supports the funding of surveys at the district level on the prevalence of bonded labor and the rehabilitation of bonded laborers identified through the surveys.(151) As of September 30, 2015, more than \$14 million was provided to state governments for the rehabilitation of 282,429 bonded laborers.(150) In 2016, the Government increased the financial assistance from approximately \$312 to \$1,700 for adult males, \$3,300 for adult females and children, and \$5,000 for females and children rescued from human trafficking and sexual exploitation, disabled persons, and transgender people.(152)
Integrated Child Protection Scheme (ICPS) [†]	MWCD scheme that provides children in need of protection—including children withdrawn from hazardous work, forced labor, and human trafficking—with food and shelter in children's homes, shelter homes, and open shelters, as well as non-institutional care in foster homes and adoptive families. Provides rehabilitation and reintegration services to rescued children.(135) Through the Welfare of Working Children in Need of Care and Protection program, ICPS provides non-formal education and vocational training to street children and working children living in urban areas not covered by MOLE schemes.(153)
Anti-Human Trafficking Activities [†]	MWCD-operated anti-human trafficking activities, in collaboration with NGOs and state governments.(138) Supports projects to help reintegrate, rehabilitate, and repatriate human trafficking victims, including children, through the <i>Ujjawala</i> scheme. Also provides short-term housing and rehabilitation services, including vocational training for women and adolescent girls, through the <i>Swadhar Greh</i> scheme.(138)
Childline [†]	MWCD-funded 24-hour toll-free emergency telephone service for children in distress. Includes Childline India Foundation-operated telephone service in cities across India, which connects children in need of assistance with hospitals, child welfare committees, shelter homes, and police.(138) In 2015–2016, \$9.5 million was granted to fund Childline services in 366 cities.(138)
TrackChild [†]	MWCD-implemented online portal that tracks missing children and facilitates information sharing about missing and vulnerable children among stakeholders, including child protection units, police stations, and Child Welfare Committees.(138, 154) Established the <i>Khoya-Paya</i> (Lost and Found) website to allow parents and the general public to report and search for missing children.(155)

[†] Program is funded by the Government of India.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(156-159)

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In 2016, state governments, such as Odisha and Maharashtra, continued to conduct Operation *Muskaan* campaigns to rescue and rehabilitate missing children, including many involved in the worst forms of child labor.(160, 161) During the reporting period, the Chief Minister of Bihar State announced that children rescued from child labor will receive approximately \$370 from the Chief Minister's Relief Fund.(162)

State governments conduct district-level surveys on bonded labor under the Rehabilitation of Bonded Labor Scheme. However, in surveyed districts, data were not available on the number of victims of bonded labor, including children.(91, 163)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in India (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the types of hazardous work prohibited for children under 18 are comprehensive.	2016
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016
	Increase the penalties for employing children in prohibited child labor.	2014 – 2016
Enforcement	Collect and publish national-level data on labor law enforcement, including the number of labor inspectors and the number of penalties issued and collected for child labor law violations.	2014 – 2016
	Collect and publish national-level data from all state governments on the number of criminal investigations, violations, prosecutions, and convictions for all crimes involving the worst forms of child labor.	2009 – 2016
Government Policies	Work with all state governments to develop State Action Plans for the elimination of child labor where they do not currently exist.	2011 – 2016
Social Programs	Reduce barriers to education by promoting equal access to education for children from marginalized communities.	2014 – 2016
	Make data and findings from district-level bonded labor surveys publicly available.	2009 – 2016

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In 2016, Indonesia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government ratified the Maritime Labor Convention which prohibits the worst forms of child labor, slavery, and wage discrimination. The National Task Force to Combat Trafficking in Persons also completed work to establish local anti-trafficking task forces in all 34 provinces. In addition, the Ministry of Manpower employed “community-based monitoring inspectors” and neighborhood chiefs who can report incidences of child labor. However, children in Indonesia perform dangerous tasks in the production of palm oil and tobacco. Children also engage in the worst forms of child labor, including in commercial sexual exploitation. The Ministry of Manpower lacks the financial resources and personnel necessary to adequately enforce child labor laws throughout the country, especially in the informal sector. The Government also continues to deliberate on the Domestic Workers Protection Bill, which outlines the circumstances under which children ages 15 through 17 could perform non-hazardous domestic work.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Indonesia perform dangerous tasks in the production of palm oil and tobacco.(1-5) Children also engage in the worst forms of child labor, including in commercial sexual exploitation.(6-9) Table 1 provides key indicators on children’s work and education in Indonesia. While the Government collects national data on working children ages 5 through 14, it does not publish the data.

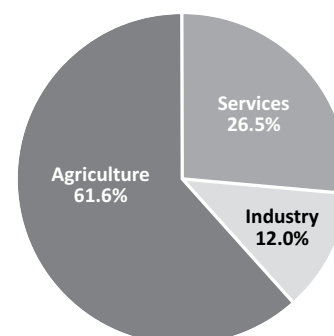
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	3.7 (816,363)
Attending School (%)	10 to 14	92.4
Combining Work and School (%)	10 to 14	2.1
Primary Completion Rate (%)		102.9

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(10)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from National Labor Force Survey (Sakernas), 2010.(11)

Figure 1. Working Children by Sector, Ages 10-14



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of palm oil, including growing, fertilizing, cutting, spraying, collecting, and loading palm oil fruits (2, 3, 5, 8, 12)
	Planting, watering, harvesting, and applying fertilizer to tobacco (1, 4, 12-15)
	Production of rubber†, including tapping trees and using acid† to thicken latex (3, 12, 14, 15)
	Fishing, including processing and working on offshore platforms† (6-8, 16-20)
Industry	Mining,† including gold and tin (8, 21-26)
	Construction,† activities unknown (27)
	Production of footwear (including sandals) (7, 8, 12, 28)
	Production of bricks, tile, furniture, and textiles (29)
Services	Street work, activities unknown (3, 30)
	Driving buses (7, 31)
	Garbage scavenging† (7, 32, 33)
	Horse jockeying (34-37)
	Domestic work (3, 6, 7, 38, 39)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [†]	Use in illicit activities, including forced begging and the sale, production, and trafficking of drugs, each sometimes as a result of human trafficking (17, 40-43)
	Domestic work and fishing as a result of human trafficking (8, 12, 44-46)
	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (3, 6, 17, 46)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Indonesia is primarily a source country, and to a lesser extent a destination and transit country, for child trafficking. Children, mostly girls, are trafficked abroad for domestic work as well as for commercial sexual exploitation; children are also subjected to trafficking internally for domestic work and sexual exploitation, particularly in Batam, Jakarta, Bali, Bandung, Bogor, Surabaya, and Medan.(3, 8, 9, 47)

Children are engaged in hazardous work in informal tin mines of Bangka-Belitung Province.(26, 48) Children also work in tobacco farming, especially in the provinces of East Java, Central Java, and West Nusa Tenggara, which exposes them to pesticides, exhaustion and extreme heat.(1, 8) Children also work on palm oil plantations tending the nursery, collecting fallen palm fruitlets, and spraying toxic herbicides to help adult laborers meet their quotas and earn premium pay.(49-51) Research also identified children working on fishing platforms (*jermals*) and small fishing boats, who are exposed to hazardous health and safety dangers from weather, machinery on the boats, and explosives from blast fishing.(20)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Indonesia has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Indonesia’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 69 of the Manpower Act; Law on the Ratification of ILO C. 138 (52, 53)
Minimum Age for Hazardous Work	Yes	18	Articles 74 of the Manpower Act; Article 2 of Ministerial Decree No. 235 (15, 53)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Annex F of Ministerial Decree No. 235; Chapter 1 of the Appendix to Presidential Decree No. 59/2002 (15, 54)
Prohibition of Forced Labor	Yes		Article 74 of the Manpower Act; Articles 1–6 and 17 of the Law on the Eradication of the Criminal Act of Trafficking in Persons; Article 83 of the Law on Child Protection (53, 55, 56)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Child Trafficking	Yes		Article 83 of the Law on Child Protection; Articles 1–6 and 17 of the Law on the Eradication of the Criminal Act of Trafficking in Persons (55, 56)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 74 of the Manpower Act; Articles 81 and 82 of the Law on Child Protection; Article 297 of the Penal Code; Section 3 of the Law on the Ratification of the Rights of the Child Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography; Articles 4–12 and 37 of Law on Anti-Pornography (29, 53, 56-60)
Prohibition of Using Children in Illicit Activities	Yes		Article 74 of the Manpower Act; Articles 67, 78, and 89 of the Law on Child Protection (53, 56)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Article 28 of Law No. 34/2004 on the Indonesian National Armed Forces (61)
State Voluntary	Yes	18	Article 28 of Law No. 34/2004 on the Indonesian National Armed Forces (61)
Non-state Compulsory	Yes	18	Article 3(d) of Law No. 9/2012 on Ratifying the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (62)
Compulsory Education Age	Yes	15	Article 48 of the Law on Child Protection; Articles 6 and 34 of the Act on the National Education System (56, 63)
Free Public Education	Yes		Article 34 of the Act on the National Education System (63)

In 2016, the Government ratified the Maritime Labor Convention which stipulates that individuals be free from the worst forms of child labor, slavery, and wage discrimination.(8, 64) During the reporting period, the Government also enacted a law that requires the central and local governments to provide educational scholarships and/or tuition aid to the children of fishermen to assist in their training and apprenticeship in the fisheries or salt field.(8, 65)

Since 2010, the Government has had the Domestic Workers Protection Bill on its legislative agenda, which outlines the circumstances under which children ages 15 through 17 could perform non-hazardous domestic work; however, the Government continues to deliberate on the bill.(66-69) While the Government issued Ministerial Regulation No.2/2015 which raised the minimum age of domestic workers to 18 years old and is enforced by the Ministry of Manpower, the regulation is not a law and criminal penalties are not included.(70) The regulation empowers designated “neighborhood chiefs” to supervise the working conditions of domestic workers in their communities, and are allowed to enter private residences.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Manpower (MOM) Directorate General of Labor Development and Supervision	Provide information to employers on child labor laws and regulations, report child labor violations, and work with law enforcement officials to prosecute child labor violations.(58) Refer children found during inspections to the local Women’s Empowerment and Family Planning Body or to the Integrated Service Center for Empowering Women and Children to access appropriate social services.
National Police, Including Women and Children’s Service Unit	Conduct inspections and raids and make arrests in response to all crimes, including those related to the worst forms of child labor.(14, 17)
MOM Directorate of Norms Supervision of Women and Child Workers	Receive child labor complaints by telephone, fax, or e-mail.(8)

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Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Ministry of Women Empowerment and Child Protection (MOWECP)	Coordinate the provision of social services to children, including those involved in child labor. Operate a children's helpline, in cooperation with Ministry of Communications, to receive complaints on child protection, which is established in 20 provinces.(8, 39)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Indonesia took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (39)	\$1,700,000 (8)
Number of Labor Inspectors	1,918 (39)	1,893 (8)
Number of Child Labor Dedicated Inspectors	N/A (39)	N/A (8)
Inspectorate Authorized to Assess Penalties	Yes (39)	Yes (8)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (39, 71)	Yes (8)
Training on New Laws Related to Child Labor	Yes (29)	Yes (8)
Refresher Courses Provided	Yes (39)	No (8)
Number of Labor Inspections	Unknown (39)	20,000 (8)
Number Conducted at Worksite	Unknown	20,000 (8)
Number Conducted by Desk Reviews	Unknown	0 (8)
Number of Child Labor Violations Found	Unknown (39)	N/A (8)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (39)	0 (8)
Number of Penalties Imposed that Were Collected	Unknown (39)	0 (8)
Routine Inspections Conducted	Yes (29, 39)	Yes (8)
Routine Inspections Targeted	Yes (39)	Yes (8)
Unannounced Inspections Permitted	Yes (39)	Yes (8)
Unannounced Inspections Conducted	Yes (39)	Yes (8)
Complaint Mechanism Exists	Yes (39)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (39)	Yes (8)

In 2016, MOM inspectors removed 16,500 children from working in 24 provinces and 138 districts. MOM works with the ministries of Education, Religious Affairs, and Social Affairs to encourage parents to enroll their children in school through Family Hope Program by which families receive conditional cash transfers and children receive one month of counseling and education advocacy provided they enroll in schools.(70) While inspectors do not distinguish between general labor inspections and child labor inspections, they will actively search for violations of child labor during their inspections.(8) In addition, inspectors have the authority to conduct unannounced inspections in the formal sectors, but they are legally prohibited from inspecting private farms and homes where the vast majority of child labor cases are found.(1, 8, 72)

The number of labor inspectors is insufficient for the size of Indonesia's workforce, which includes over 123 million workers. According to the ILO's recommendation of one inspector for every 15,000 workers in developing economies, Indonesia should employ roughly 8,160 inspectors in order to adequately enforce labor laws throughout the country. However, the country has 1,893 inspectors to oversee an estimated 268,000 companies or workplaces and many are not provided sufficient resources to carry out their labor inspections effectively.(8, 73-76) In 2016, only 30 new inspectors received training on laws and enforcement of laws related to the worst forms of child labor and hazardous work, and existing inspectors did not receive a refresher training because of budget reductions. Due to these constraints, the MOM employed "community-based monitoring inspectors" and neighborhood chiefs who can report incidences of child labor.(8)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Indonesia took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes (8)
Refresher Courses Provided	Yes (39)	Unknown
Number of Investigations	Unknown (39)	120 (8)
Number of Violations Found	Unknown (39)	Unknown
Number of Prosecutions Initiated	Unknown (39)	Unknown
Number of Convictions	Unknown (39)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (39)	Yes (8)

In 2016, the Indonesian Commission on Child Protection recorded 307 cases of child trafficking and 465 cases involving children in pornography and cybercrime; the Police National Anti-Trafficking taskforce investigated 70 cases of child trafficking.(8)

The Indonesian National Police provides training on the prevention and investigation of cases involving the worst forms of child labor to police units that focus exclusively on crimes against women and children. Although progress has been made in raising awareness about human trafficking among law enforcement authorities, including the IOM's facilitated training workshops on combating human trafficking, the IOM reports that its trainings do not address topics related to child labor. In addition, reports indicate that MOM's child labor investigations focus primarily on the worst cases given its limited resources; however, starting in January 2017, all inspections will be controlled by the provincial governments, thereby elevating the status of inspectors from contractors to civil service employees.(8)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Provincial-level and District-level Regional Action Committees	Coordinate and monitor policy and program efforts and develop action plans to eliminate the worst forms of child labor at the local level.(77) The country has provincial-level task forces in all 34 provinces and 192 district-level committees.(78)
National Task Force to Combat Trafficking in Persons	Coordinate the country's anti-trafficking efforts, including child trafficking.(28) Chaired by the Coordinating Ministry of Human Development and Culture, with task force meetings organized by the Ministry of Women Empowerment and Child Protection. Coordinates the Task Force across 21 ministries.(78) Provided vocational training and scholarships to school-aged children to reduce susceptibility to trafficking.(9) In 2016, established anti-trafficking taskforces at the local level in 34 provinces.(78)
Provincial and District Task Forces for the Prevention and Handling of Human Trafficking	Coordinate prevention and anti-trafficking efforts at the local level.(9) Commonly chaired by the local Integrated Service Center for Women and Children or the local Office of Social Affairs, and currently operating in all 34 provinces and 196 out of 497 districts.(78)
Subtask Force on the Prevention of Child Participation in Trafficking in Persons	Organize regular coordination meetings, provide technical training, and produce publications on the prevention of trafficking in persons. Chaired by the Ministry of Education and Culture Director for Early Childhood, Nonformal, and Informal Education.(28)
Indonesian Child Protection Commission	Supervise child protection policy implementation, promotion, and monitoring; monitor and evaluate the progress of implementing the Child Protection Law; and provides recommendations to the President of Indonesia.(79)

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The Government eliminated the National Action Committee for the Elimination of the Worst forms of Child Labor and reverted its responsibilities to the MOM. Instead, the Roadmap Toward a Child Labor-Free Indonesia mainstreams the elimination of child labor into wider national policies and was incorporated into the Government's 2014-2016 mid-term development plan as part of a comprehensive policy to address child labor in Indonesia.(8) However, provincial and district-level child labor committees have not been officially dissolved; research found that many are no longer functioning due to lack of funding from local governments.(29)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan (NAP) for the Elimination of the Worst Forms of Child Labor (2002–2022)	Provides a policy framework for the elimination of child labor in three operational phases.(14, 80-82) Specific activities include improving data collection on the worst forms of child labor, increasing awareness-raising and advocacy efforts, and formulating regulations and policies to prohibit the worst forms of child labor.(54)
National Action Plan on Preventing Trafficking in Persons (2015–2019)	Guides the work of the National Task Force to Combat Trafficking in Persons. Includes the following goals: improve health and social rehabilitation services and repatriation and social reintegration services for human trafficking victims; update anti-human trafficking regulations; strengthen the investigation of human trafficking cases and the prosecution of perpetrators; and enhance coordination among task force members and between national and international stakeholders.(45)
Roadmap Toward a Child Labor-Free Indonesia in 2022 (2014–2022)	Supports implementation of the National Action Plan for the Elimination of the Worst Forms of Child Labor. Aims to mainstream the elimination of the worst forms of child labor into relevant national policies; strengthen coordination between stakeholders at the national, provincial, and district levels; and enhance the capacity of stakeholders to eradicate child labor.(28, 83) Led by MOM and integrated into the Mid-Term Development Plan as part of a comprehensive policy to address child labor.(39) Key feature is the establishment of Child-Labor-Free Industrial Zones in its final phase. MOM has engaged in an ILO project funded by the Dutch Government designed to develop skills training for school dropouts aged 15-17 who are either former child laborers or vulnerable to labor exploitation, particularly in the agricultural sector(8)
Association of Southeast Asian Nations (ASEAN) Convention Against Trafficking in Persons, Especially Women and Children (ACTIP)	Establishes a regional anti-trafficking framework among 10 ASEAN member states, including Indonesia, to improve coordination on investigation and prosecution of human trafficking cases and enhance assistance for victims. The Convention awaits ratification by the Ministry of Law and Human Rights.(68, 84, 85)

The National Task Force to Combat Trafficking in Persons notes that some Provincial and District Task Forces lack sufficient funding and fail to incorporate its recommendations into its plans of action to effectively guide efforts to eliminate the trafficking of women and children.(8, 9, 29) In addition, while the National Education Law mandates free education, research indicates that schools impose additional fees on students to cover activities and other items that may hinder their ability to attend school.(8)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
USDOL-Funded Projects	USDOL projects aim to build the capacity of the Government, develop strategic policies to address the elimination of child labor and forced labor, improve the evidence base on child labor and forced labor through data collection and research, strengthen legal protections and social services delivery for child domestic workers in Indonesia, and builds capacity of domestic worker organizations to address child domestic work. <u>PROMOTE: Decent Work for Domestic Workers to End Child Domestic Labor (2012–2017)</u> , \$5 million project implemented by ILO-IPEC; <u>Global Action Program on Child Labor Issues</u> , implemented by the ILO in approximately 40 countries; and <u>Building a Generation of Safe and Healthy Workers: Safe and Healthy Youth</u> , implemented by the ILO with Indonesia as one of the countries. For additional information about USDOL's work, please visit our Web site .

Table 10. Key Social Programs to Address Child Labor[†] (cont)

Program	Description
Child Trafficking Services [†]	MOSA and other government agency program that provides social rehabilitation and shelter services for child victims of trafficking.(86, 87)
West Java and Bandung Municipality Street Children Program [†]	West Java provincial government and municipality of Bandung programs to assist street children.(80)
Cash Transfer Programs [†]	Government of Indonesia programs that aim to provide conditional cash transfers to assist children's education and health; establish bank accounts; and assist vulnerable groups, including street children, abandoned children and infants, children facing criminal charges, children with disabilities, the poorest families, and child laborers who dropped out of school. Smart Indonesia Program; Unconditional Cash Transfer Program (<i>Bantuan Langsung Semetara Masyarakat</i>); Child Social Welfare Program (<i>Program Kesejahteraan Sosial Anak</i>); Family Welfare Card (<i>Kartu Keluarga Sejahtera</i>); Family Hope Program (<i>Program Keluarga Harapan</i>); and Social Protection Cards (<i>Kartu Perlindungan</i>).(8, 28, 88, 89)
Rice for the Poor (Raskin) [†]	Government-subsidized food program that provides rice for the poorest 25 percent of households.(88)
Block Grants for Schools (Bantuan Operasional Sekolah) [†]	Government block grant program that compensates schools for the loss of income incurred when waiving fees to ensure free education for poor and vulnerable children in primary, junior secondary, and senior high schools.(8, 90) In 2016, provided approximately \$3.2 million in grants to elementary, junior high, and senior high schools to accelerate progress toward the government goal to achieve a 97 percent senior high school attendance rate by 2020.(70)
Minimum Service Standards of Basic Education Program	Aims to improve access to quality public education by limiting the distance of elementary and junior secondary schools from children's households, by specifying minimum teacher-student ratios, and by identifying minimum teacher education qualifications.(91)

[†] Program is funded by the Government of Indonesia.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(8)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Indonesia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Pass the Domestic Workers Protection Bill that would protect child domestic workers ages 15 through 17.	2016
Enforcement	Increase the number of labor inspectors responsible for enforcing laws related to child labor to provide adequate coverage of the workforce and provide sufficient funds for labor inspections.	2010 – 2016
	Institutionalize training for labor inspectors, including training new labor inspectors at the beginning of their employment and providing a refresher training for existing labor inspectors.	2016
	Strengthen and address child labor protections for children who are self-employed and children who are working in the informal sector.	2014 – 2016
	Publish criminal enforcement information, including the trainings for investigators, the number of violations found, prosecutions initiated, and convictions for crimes relating to the worst forms of child labor.	2009 – 2016
	Provide additional training for police officers and prosecutors on anti-trafficking legislation and clarify their roles and responsibilities in enforcing these laws.	2013 – 2016
Coordination	Ensure that provincial and district-level action child labor committees are funded.	2016
Government Policies	Sufficiently fund provincial and district task forces and require them to incorporate the recommendations of the National Task Force to Combat Trafficking in Persons into their plans of action on the elimination of trafficking of women and children.	2016
	Ensure that all children are able to attend school and do not face prohibitive costs for education-related expenses.	2016
Social Programs	Publish data on child laborers ages 5 through 14.	2016
	Conduct research to determine the types of activities carried out by children working in construction and street work to inform policies and programs.	2014 – 2016

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62. Government of Indonesia *Law No. 9/2012 on Ratifying the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict*, enacted 2012; <http://www.kpai.go.id/files/uu/UNDANG-UNDANG-REPUBLIK-INDONESIA-NOMOR-9-TAHUN-2012-TENTANG-PENGESAHAN-PROTOKOL-OPSIONAL-KONVENSI-HAK-HAK-ANAK.pdf>.
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73. ILO Committee of Experts. *Individual Direct Request Concerning Worst Forms of Child Labor Convention, 1999 (No. 182) Indonesia (ratification: 2000) Published: 2013*; accessed June 2, 2015; <http://www.ilo.org/dyn/normlex/en/f?p=1000:11003:0::NO::>.
74. CIA. *The World Factbook*, [online] [cited March 18, 2017]; <https://www.cia.gov/library/publications/the-world-factbook/rankorder/2095rank.html>. Data provided is the most recent estimate of the country's total labor force. This number is used to calculate a "sufficient number" of labor inspectors based on the country's level of development as determined by the UN.
75. ILO. *Strategies and Practice for Labour Inspection*. Committee on Employment and Social Policy. November 2006; <http://www.ilo.org/public/english/standards/reim/gb/docs/gb297/pdf/esp-3.pdf>. Article 10 of ILO Convention No. 81 calls for a "sufficient number" of inspectors to do the work required. As each country assigns different priorities of enforcement to its inspectors, there is no official definition for a "sufficient" number of inspectors. Amongst the factors that need to be taken into account are the number and size of establishments and the total size of the workforce. No single measure is sufficient but in many countries the available data sources are weak. The number of inspectors per worker is currently the only internationally comparable indicator available. In its policy and technical advisory services, the ILO has taken as reasonable benchmarks that the number of labor inspectors in relation to workers should approach: 1/10,000 in industrial market economies; 1/15,000 in industrializing economies; 1/20,000 in transition economies; and 1/40,000 in less developed countries.

76. UN. "World Economic Situation and Prospects 2012 Statistical Annex." (2012); http://www.un.org/en/development/desa/policy/wesp/wesp_current/2012country_class.pdf. For analytical purposes, the Development Policy and Analysis Division (DPAD) of the Department of Economic and Social Affairs of the United Nations Secretariat (UN/DESA) classifies all countries of the world into one of three broad categories: developed economies, economies in transition, and developing countries. The composition of these groupings is intended to reflect basic economic country conditions. Several countries (in particular the economies in transition) have characteristics that could place them in more than one category; however, for purposes of analysis, the groupings have been made mutually exclusive. The list of the least developed countries is decided upon by the United Nations Economic and Social Council and, ultimately, by the General Assembly, on the basis of recommendations made by the Committee for Development Policy. The basic criteria for inclusion require that certain thresholds be met with regard to per capita GNI, a human assets index and an economic vulnerability index. For the purposes of the *Findings on the Worst Forms of Child Labor* report, "developed economies" equate to the ILO's classification of "industrial market economies," "economies in transition" to "transition economies," "developing countries" to "industrializing economies," and "least developed countries" equates to "less developed countries." For countries that appear on both "developing countries" and "least developed countries" lists, they will be considered "least developed countries" for the purpose of calculating a "sufficient number" of labor inspectors.
77. Government of Indonesia. *Concerning Guidelines for the Formation of Regional Action Committees, the Establishment of Regional Action Plans, and the Empowerment of Communities in the Elimination of the Worst Forms of Child Labor*, Article 6, enacted 2009. [Source on file].
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81. U.S. Embassy- Jakarta official. E-mail communication to USDOL official. January 23, 2014.
82. UN Committee on the Rights of the Child. *Periodic Reports of States Issues: Indonesia*. Prepared by the Government of Indonesia, Replies to List of Issues in Relation to the Combined Third and Fourth Periodic Reports of Indonesia. May 6, 2014; http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fCN%2fDQ%2fQ%2f3-4%2fAdd.1&Lang=en.
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85. Association of Southeast Asian Nations. *ASEAN Convention Against Trafficking in Persons, Especially Women and Children*. Kuala Lumpur; November 21, 2015; <http://un-act.org/publication/view/asean-convention-against-trafficking-in-persons-especially-women-and-children-2015/>.
86. U.S. Embassy- Jakarta. *reporting, February 24, 2014*.
87. U.S. Embassy- Jakarta. *reporting, February 17, 2015*.
88. Integrated Regional Information Networks. "Indonesia's social targeting challenge." IRINnews.org [online] November 7, 2013 [cited June 2, 2015]; <http://www.irinnews.org/report/99074/analysis-indonesia-s-social-targeting-challenge>.
89. ILO-IPEC. *PROMOTE: Decent Work for Domestic Workers to End Child Domestic Work*. Technical Progress Report. Jakarta; October 2013. [Source on file].
90. World Bank Projects Database. *Indonesia: BOS Knowledge Improvement for Transparency and Accountability*. Accessed June 2, 2015; <http://www.worldbank.org/projects/P107661/indonesia-bos-knowledge-improvement-transparency-accountability?lang=en>.
91. U.S. Embassy- Jakarta official. E-mail communication to USDOL official. February 17, 2015.

In 2016, Iraq made a minimal advancement in efforts to eliminate the worst forms of child labor. Iraq is receiving this assessment because it implemented a practice that delayed advancement in eliminating the worst forms of child labor, which facilitated the recruitment of child soldiers. Armed groups engaged in combat against the Islamic State of Iraq and Syria, including units of the Popular Mobilization Forces (PMF), recruited and used children, some of whom were as young as 12 years old. Several PMF units also received financial and material support from the Iraqi Government, and a February 2016 order from the Iraqi Prime Minister declared the PMF to be formally affiliated with Iraqi security services. In addition, in December 2016, the Iraqi Prime Minister signed a law that formalized the status of the Popular Mobilization Commission, an umbrella organization for the PMF, as a component of the Iraqi security services. Otherwise, the Government conducted targeted labor inspections in areas where child labor was prevalent, established investigative courts on human trafficking and commercial sexual exploitation in the Kurdistan Region, and improved coordination with the Kurdistan Regional Government through the Central Committee to Combat Trafficking in Persons. Children in Iraq also engage in other worst forms of child labor, including forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. Limited funding, transportation, and fuel hampered the inspectorate's capacity to enforce child labor laws and criminal law enforcement information remains unavailable. The Government continues to lack programs that focus on assisting children in the worst forms of child labor, particularly those used by armed groups.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Iraq engage in the worst forms of child labor, including in armed conflict and commercial sexual exploitation, each sometimes as a result of human trafficking.(1-7) Table 1 provides key indicators on children's work and education in Iraq.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	5.3 (454,330)
Attending School (%)	5 to 14	75.0
Combining Work and School (%)	7 to 14	4.2
Primary Completion Rate (%)		66.7

Source for primary completion rate: Data from 2007, published by UNESCO Institute for Statistics, 2016.(8)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2011.(9)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Working on farms (6, 10, 11)
	Herding livestock (10, 11)
	Fishing, activities unknown (10)
Industry	Making bricks (6, 12-15)
	Working in factories, including glass, household cleaners, paint, steel, and plastic recycling factories (6, 12, 13, 16)
	Working in carpentry workshops (11, 17)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Services	Street work, including selling goods, pushing carts, cleaning cars, shining shoes, and begging (6, 10, 13, 15, 16, 18)
	Working at gas stations and auto repair shops (6, 10, 14, 19-21)
	Working in landfills, collecting and scavenging garbage (6, 10, 13-16)
	Domestic work (10, 11)
	Working in hotels, restaurants, and cafes (11, 21)
	Working at cemeteries, including digging graves and selling items (15, 22)
	Voluntarily recruited children used in hostilities by state armed groups (1, 3, 4, 23, 24)
Categorical Worst Forms of Child Labor‡	Forced recruitment of children by non-state armed groups for use in armed conflict (1, 2, 4-7, 25)
	Forced recruitment of children by state armed groups for use in armed conflict (6, 25)
	Use in illicit activities, including drug trafficking, as a result of human trafficking (6, 26)
	Domestic work as a result of human trafficking (1, 27)
	Forced begging, sometimes as a result of human trafficking (1, 6, 28, 29)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 6, 13, 15, 27, 30, 31)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

NGOs, an international organization, and the media reported that factions of the Popular Mobilization Forces (PMF) recruited and used children under the age of 18 in operations in Fallujah and other areas of the country, while PMF-affiliated media continued to celebrate the service and sacrifice of child soldiers.(1, 6, 24, 32) In 2016, some PMF units received financial and material support from the Iraqi Government, and a February 2016 order from the Iraqi Prime Minister declared the PMF to be formally affiliated with Iraqi security services. In December 2016, the Iraqi Prime Minister signed a law that formalized the status of the Popular Mobilization Commission, an umbrella organization for the PMF, as a component of the Iraqi security services.(32) Human Rights Watch reported that the PMF was threatening some displaced families in camps and exploiting their need for humanitarian assistance as part of its child recruitment efforts.(6) However, research did not find evidence that the Iraqi Army and the Iraqi Police used children in armed conflict.(6)

The Islamic State of Iraq and Syria (ISIS, also known as ISIL) recruited children and used them in combat operations, including as informants, suicide bombers, and in manning checkpoints.(2, 5, 6, 25) Armed groups engaged in combat against ISIS also recruited and used children.(4, 6, 7, 25) Sunni tribal forces and other armed groups, including the Iran-backed militias, the Women’s Protection Units (YPJ), the Sinjar Resistance Units (YBS), People’s Defense Forces (HPG), and the Kurdistan Workers’ Party (PKK) accepted child volunteers into their ranks.(4, 6, 7) In addition to voluntary recruitment, the PKK and YBS forcibly recruited and used Kurdish and Yezidi boys and girls, some as young as 12 years old, in combat and support roles in northern Iraq.(32)




Throughout the country, some girls were subjected to commercial sexual exploitation by their families, who sought financial gain through temporary marriages.(1) This practice involves a dowry paid to the girl’s family and an agreement to dissolve the marriage after a predetermined length of time.(33) ISIS fighters subjected girls, primarily from the Yezidi community, but also from other ethnic and religious groups, to commercial sexual exploitation, forced marriages, or forced domestic work in Iraq and Syria.(1, 28, 34-37) Limited evidence points to trafficking of girls from Iran into the Iraqi Kurdistan Region for commercial sexual exploitation. Some officials of the Kurdistan Regional Government (KRG) were involved in the trafficking of Syrian refugee girls for commercial sexual exploitation.(1, 6, 7, 29, 38)

Children faced barriers accessing education, partially because of attacks on schools, including the targeting of teachers and school personnel, lack of schools nearby, and the use of schools as shelters by internally displaced persons (IDPs) and as detention centers by ISIS.(15, 27, 39, 40) As of September 2016, approximately 35 percent of Iraqi children, including IDP children, were out of school.(41) In addition, out of approximately 61,000 Syrian refugee children, about 40 percent remained out of school.(42) For these refugees, the majority of whom live in the Kurdistan Region, access to education was limited because of security concerns, school-related costs – such as transportation and uniforms – and language issues, because most classes in the Kurdistan Region are taught in Kurdish rather than Arabic.(43)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Iraq has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Iraq's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Related Entity	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Iraq	Yes	15	Article 7 of the 2015 Labor Law (44)
	Kurdistan Region	Yes	15	Article 90.1 of the 1987 Labor Law (45)
Minimum Age for Hazardous Work	Iraq	Yes	18	Article 95 of the 2015 Labor Law (44)
	Kurdistan Region	Yes	18	Articles 90.2 and 91.1 of the 1987 Labor Law (45)
Identification of Hazardous Occupations or Activities Prohibited for Children	Iraq	Yes		Articles 95 and 98 of the 2015 Labor Law; Ministry of Labor's Instruction 19 of 1987 (44, 46)
	Kurdistan Region	Yes		Article 91.2 of the 1987 Labor Law; Ministry of Labor's Instruction 19 of 1987 (45, 46)
Prohibition of Forced Labor	Iraq	Yes		Article 9 of the 2015 Labor Law; Articles 1 and 6 of the Law to Combat Human Trafficking (44, 47)
	Kurdistan Region	Yes		Articles 91.3(a), 91.4 and 97 of the Labor Law (45)
Prohibition of Child Trafficking	Iraq	No		Articles 1 and 6 of the Law to Combat Human Trafficking (47)
	Kurdistan Region	No		Articles 91.3(a), 91.4 and 97 of the 1987 Labor Law (45)
Prohibition of Commercial Sexual Exploitation of Children	Iraq	Yes		Articles 399 and 403 of the Penal Code (48)
	Kurdistan Region	Yes		Articles 91.3(b), 91.4 and 97 of the 1987 Labor Law (45)
Prohibition of Using Children in Illicit Activities	Iraq	No		
	Kurdistan Region	Yes		Articles 91.3(c), 91.4 and 97 of the Labor Law (45)
Minimum Age for Military Recruitment				
State Compulsory	Iraq and Kurdistan Region	N/A*		
State Voluntary	Iraq and Kurdistan Region	Yes	18	Section 6(2) of the CPA Order 22 (49)
Non-state Compulsory	Iraq and Kurdistan Region	No		
Compulsory Education Age	Iraq	No	12 [‡]	Articles 8.1.1 and 11.1 of the Education Law; Article 1.3 of the Law on Compulsory Education (50, 51)
	Kurdistan Region	Yes	15	Articles 6 and 10 of the Kurdistan Regional Government Ministry of Education Law (52)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Related Entity	Meets International Standards: Yes/No	Age	Legislation
Free Public Education	Iraq	Yes		Article 34.2 of the Constitution; Article 9 of the Education Law (50, 53)
	Kurdistan Region	Yes		Article 10 of the Kurdistan Regional Government Ministry of Education Law (52)

* No conscription (49)

‡ Age calculated based on available information.

The provision protecting children from hazardous work does not apply to children age 15-17 working in family businesses under the authority of family members.(44)

Also, in Iraq, Article 1 of the Law to Combat Human Trafficking requires force or coercion to be present as an element of the crime of child trafficking, which is inconsistent with Article 3 of the Palermo Protocol.(47) The KRG must endorse laws passed by the Government of Iraq after 1991 for such laws to enter into force in the Kurdistan Region, which comprises the provinces of Dahuk, Erbil, and Sulaymaniyah.(28, 54) The KRG has not endorsed the Iraq Law to Combat Human Trafficking, and the only law in effect in the Kurdistan region prohibiting trafficking, the 1987 Labor Law, merely mentions child trafficking and does not prohibit the necessary elements of a child trafficking standard.(52, 55)

Under Articles 8 and 11 of the Iraqi Education Law and the Law on Compulsory Education, children are required to attend primary school for 6 years, which is typically up to age 12.(50, 51, 56) This standard makes children ages 12 to 15 particularly vulnerable to child labor, because they are not required to be in school, yet they are not legally permitted to work.

On December 29, 2016, the Council of Ministers directed the Ministry of Justice to draft an amendment to the Education Law that would extend compulsory education through secondary school.(57)

In 2016, the Ministry of Labor and Social Affairs (MOLSA) and the KRG Ministry of Labor and Social Affairs discussed a draft child protection law that includes provisions on child labor. No further information was available.(6)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Affairs (MOLSA)	Enforce child labor laws and regulations through its Child Labor Unit. Conduct research on child labor through its Childhood Welfare Authority.(19) Receive complaints of child labor cases.(6)
Kurdistan Regional Government (KRG) Ministry of Labor and Social Affairs	Enforce child labor laws and regulations in the Iraqi Kurdistan Region. KRG Ministry of Interior's police units play a supporting role in the daily activities of the Ministry.(19)
Ministry of Interior	Enforce criminal laws on the worst forms of child labor. Collaborate with MOLSA, the Iraqi Industries Federation, and the Confederation of Trade Unions to conduct inspection campaigns.(19) Maintain a hotline for victims of human trafficking that is routed directly to the Ministry's Anti-Trafficking Department.(19)
KRG Ministry of Interior	Investigate cases of commercial sexual exploitation and human trafficking.(6)

Labor Law Enforcement

In 2016, law enforcement agencies in Iraq took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown* (6)
Number of Labor Inspectors	120 (19)	120 (6)
Number of Child Labor Dedicated Inspectors	Unknown	6 (6)
Inspectorate Authorized to Assess Penalties	Yes (19)	No (44)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown (19)	Yes (57)
Training on New Laws Related to Child Labor	Unknown (19)	Unknown (6)
Refresher Courses Provided	Unknown (19)	No (57)
Number of Labor Inspections	21,794 [‡] (19)	Unknown (58)
Number Conducted at Worksite	Unknown	1,076 (57)
Number Conducted by Desk Reviews	Unknown	Unknown (58)
Number of Child Labor Violations Found	60 [‡] (19)	325 (57)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	229 (57)
Number of Penalties Imposed That Were Collected	Unknown	Unknown
Routine Inspections Conducted	Yes (19)	Yes (6)
Routine Inspections Targeted	Unknown	Yes (6)
Unannounced Inspections Permitted	Yes (45)	Yes (44)
Unannounced Inspections Conducted	Yes (19)	Unknown* (6)
Complaint Mechanism Exists	Unknown (36)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Unknown (6)

* The Government does not publish this information.

‡ Data are from January 1, 2015 to November 30, 2015.

In 2016, research did not find information about the funding of MOLSA. However, previously officials had stated that their funding was limited.(19) In 2015, insufficient transportation and fuel hampered MOLSA's capacity to enforce child labor laws.(19) The number of labor inspectors is insufficient for the size of Iraq's workforce, which includes over 8.9 million workers.(59) According to the ILO's recommendation of 1 inspector for every 15,000 workers in industrializing economies, Iraq should employ roughly 593 labor inspectors.(19, 60, 61) In 2016, labor inspections resulted in 325 cases being referred to the Labor Court for prosecution. The Labor Court fined 229 employers and closed down 10 factories that were repeated violators of child labor laws.(57) Jointly with the Ministry of Education, MOLSA conducted a targeted outreach campaign to vulnerable communities and inspected areas where child labor was prevalent. The joint campaigns resulted in 257 children returning to school.(57) These visits were in addition to the aforementioned 1,076 official inspections.(57) The 2015 inspection data were collected by the High Commission on Human Rights. In 2016, with the dissolution of this Commission and the Ministry of Human Rights, data collection on a central level was no longer carried out.(57)

In 2016, the KRG Ministry of Labor and Social Affairs did not have budgetary allocations for inspections, did not provide child labor training to inspectors, and did not carry out inspections.(6) However, the KRG established investigative sub-committees and investigative courts focused on trafficking in persons and commercial sexual exploitation in the Kurdistan Region.(25)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Iraq took actions to combat the worst forms of child labor.

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown (19)	Unknown (6)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (19)	Unknown (6)
Refresher Courses Provided	Yes (29)	Unknown (6)
Number of Investigations	Unknown	Unknown (6)
Number of Violations Found	Unknown (19)	Unknown (6)
Number of Prosecutions Initiated	Unknown (19)	Unknown (6)
Number of Convictions	Unknown (19)	Unknown (6)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown	No (18)

In 2016, the Government conducted 314 investigations of human trafficking cases and 17 prosecutions. It is unknown how many of these cases may have involved child victims.(32) The KRG did not provide training for criminal investigators. KRG officials stated that courts could refer cases of the worst forms of child labor to the KRG Ministry of Labor and Social Affairs.(6) Research did not discover other information on criminal law enforcement, including in the Kurdistan Region.

Child victims of human trafficking and forced labor faced prosecution for acts committed while being trafficked and underwent deportation proceedings.(32, 35) An international organization reported that KRG authorities arrested, detained, and interrogated, approximately 180 child soldiers between the ages of 11 and 17 years old for their alleged association to ISIS; 17 of those interviewed reported torture during interrogation.(32)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Inter-ministerial Committee on Child Labor	Coordinate overall government efforts to combat child labor, research policies regarding child labor, and design and manage projects. Includes representatives from five ministries, including MOLSA.(19)
Joint Committee on Street Children	Coordinate the implementation of measures for removing and rehabilitating street children. Members include MOLSA and the Ministry of Interior.(30)
Central Committee to Combat Trafficking in Persons	Oversee implementation of the Law to Combat Human Trafficking and serve as the national coordinating body on trafficking in persons. Led by the Ministry of Interior, also includes representatives from five ministries, the KRG Ministry of Interior, and two other state entities.(6, 19) In 2016, the Committee held meetings and training sessions for its members, including KRG officials.(25, 57)
KRG High Commission on Child Labor	Coordinate interagency policies on child labor. Chaired by the KRG Ministry of Labor and Social Affairs; members include representatives from five other KRG ministries.(6)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

Research found no evidence that the Government has established policies related to child labor, including its worst forms.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 9).

Table 9. Key Social Programs to Address Child Labor†

Program	Description
Informal Education†	Government-supported informal education systems, including evening school programs and the fast education mode that encourages children ages 12 to 18 who have dropped out of school to continue their education.(30)

Table 9. Key Social Programs to Address Child Labor[†] (cont)

Program	Description
Conditional Subsidies Program [†]	Provides assistance to low-income families for children to stay in school and out of the workforce.(6) This program was active in 2016, and provided financial support to hundreds of low-income families with the condition that their children remain in school.(57)
Shelters for Human Trafficking Victims [†]	MOLSA-operated shelter in Baghdad for human trafficking victims, including children involved in the worst forms of child labor; other facilities are in Basrah, Kirkuk, and Ninewa provinces.(55) The KRG operates three shelters for female victims of human trafficking and violence.(6) No victims used the shelter in Baghdad in 2016, partially due to security reasons.(25)

[†] Program is funded by the Government of Iraq.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(62, 63)

In 2016, the Government began drafting a plan to rehabilitate and integrate children liberated from ISIS, including child soldiers, back into their communities. In May 2017, the Council of Ministers approved the plan and allocated a budget for its implementation.(57) Research found no evidence of specific programs targeting children engaged in commercial sexual exploitation or brickmaking.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Iraq (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the laws comprehensively prohibit child trafficking in all parts of Iraq, including the Kurdistan Region, and do not require a showing of force.	2015 – 2016
	Ensure hazardous work protections apply to all children, including children working in family businesses under the authority of family members.	2016
	Ensure that the law in Iraq criminally prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2015 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2013 – 2016
	Increase the age of compulsory schooling in Iraq to at least age 15, the minimum age for work.	2009 – 2016
Enforcement	Publish information on the funding of the labor inspectorate; the training for labor inspectors; the number of inspections, including those by desk reviews; the number of imposed penalties that were collected; whether unannounced inspections were conducted; and whether a reciprocal referral mechanism exists between labor authorities and social services.	2011 – 2016
	Ensure that labor inspectors receive refresher courses on child labor.	2016
	Increase the number of labor inspectors to meet the ILO recommendation and ensure adequate funding to effectively enforce legal protections against child labor, including its worst forms.	2011 – 2016
	Ensure that labor inspectors in the Kurdistan Region receive funding and training on child labor in order to conduct labor inspections.	2016
	Ensure that children under 18 cannot join armed groups affiliated with the Popular Mobilization Forces to engage in combat.	2016
	Publish information on the training of criminal investigators, and the number of investigations, violations, prosecutions, and convictions.	2013 – 2016
	Establish a reciprocal referral mechanism between criminal authorities and social services in both Iraq and the Kurdistan Region.	2016
	Publish information on criminal law enforcement on the worst forms of child labor in the Kurdistan Region.	2013 – 2016
Ensure that child victims of human trafficking are not prosecuted.	2015 – 2016	
Government Policies	Adopt policies to address child labor, particularly in armed conflict.	2016

Table 10. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Social Programs	Ensure that children are discouraged from enlisting into armed groups and receiving military training.	2015 – 2016
	Ensure universal access to education, including for refugee and internally displaced children.	2013 – 2016
	Improve the security situation of the human trafficking shelters so that victims can use them.	2016
	Implement programs to address relevant child labor sectors in Iraq, such as commercial sexual exploitation and brickmaking, and demobilize and reintegrate children engaged in armed groups.	2009 – 2016

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Jamaica

MODERATE ADVANCEMENT

In 2016, Jamaica made a moderate advancement in efforts to eliminate the worst forms of child labor. During the year, with international donor support, the Government expanded the Program for Advancement through Health and Education (PATH), which provided assistance to nearly 250,000 children. It also introduced a transportation allowance grant to subsidize school transportation costs for children enrolled in PATH and collaborated with the Jamaica Employer's Federation to host a seminar on responsible business practices to end child labor in supply chains. However, children perform dangerous tasks in street work. Children also engage in the worst forms of child labor, including in commercial sexual exploitation. Although the Government has laws prohibiting the use of children in some illicit activities, it does not prohibit using, procuring, or offering children for drug trafficking and production. In addition, programs to combat child labor are insufficient to adequately address the extent of the child labor problem.



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I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Jamaica perform dangerous tasks in street work.(1, 2) Children in Jamaica also engage in the worst forms of child labor, including in commercial sexual exploitation.(3, 4) Table 1 provides key indicators on children's work and education in Jamaica.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	5.4 (28,298)
Attending School (%)	5 to 14	99.4
Combining Work and School (%)	7 to 14	6.2
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2016.(5)

Source for all other data: Understanding Children's Work Project's Analysis of Statistics from Multiple Indicator Cluster Survey 4, 2011.(6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, activities unknown (2, 7)
	Fishing, activities unknown (1, 8)
Industry	Construction, [†] activities unknown (2)
Services	Garbage scavenging, collecting scrap metal (2, 9, 10)
	Working in gardens, shops, and markets (1, 2, 8)
	Domestic work (2, 4, 10, 11)
	Street work, including peddling goods and services, begging, [†] and vending (1, 2, 12)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 2, 7)
	Forced labor in domestic work (2, 4)
	Use in Illicit activities, including executing financial scams and serving as drug couriers and dealers (10)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.




[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Jamaica is a destination and source for commercial sexual exploitation of children. Jamaican children are trafficked for commercial sexual exploitation and forced labor to countries including the United States, United Kingdom, and Canada.(4)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Jamaica has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Jamaica's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations Related to Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 34(1) of the Child Care and Protection Act (13)
Minimum Age for Hazardous Work	Yes	18	Article 34(3) of the Child Care and Protection Act (13)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 34(3)(b) and 41 of the Child Care and Protection Act of 2004; Section 55 of the Factories Act: Docks (Safety Health and Welfare) Regulations; Section 18 of the Mining Act; Section 49 of the Factories Act: Building Operations and Works of Engineering Construction Regulations (13-17)
Prohibition of Forced Labor	Yes		Section 4 of the Trafficking in Persons (Prevention, Suppression and Punishment) Act; Section 10 of the Child Care and Protection Act (13, 18)
Prohibition of Child Trafficking	Yes		Section 4 of the Trafficking in Persons (Prevention, Suppression and Punishment) Act; Section 10 of the Child Care and Protection Act (13, 18)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 4 of the Trafficking in Persons (Prevention, Suppression and Punishment) Act; Section 3 of the Child Pornography (Prevention) Act; Section 40 of the Sexual Offences Act (18-20)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Section 18(2) of the Defense Act (21)
Non-State Compulsory	No		
Compulsory Education Age	Yes	16	Section 28 of the Child Care and Protection Act (13)
Free Public Education	Yes		Section 13(k) of the Jamaican Charter of Fundamental Rights and Freedoms (22)

* No conscription (21)

Jamaica

MODERATE ADVANCEMENT

Jamaican laws prohibit the illegal manufacture and distribution of drugs but do not specifically penalize using, procuring, or offering a child for the production and distribution of drugs.(13, 23) Although children ages 13 and 14 may engage in light work, the Government has yet to finalize and adopt its draft list of light work activities.(13, 17) During the year, the Government revised a draft hazardous work list for children but has not yet adopted it.(10)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law enforcement remain.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MLSS)	Enforce and administer child labor laws in the formal sectors of the economy. The Child Labor Unit coordinates and shares information with other agencies to address child labor issues.(24)
Child Development Agency (CDA)	Monitor and investigate suspected child labor violations and oversee efforts to address child labor.(24)
Office of the Children's Advocate (OCA)	Partner with other agencies, including the CDA, to promote protection of children, including addressing child labor.(24)
Jamaica Constabulary Force (JCF)	Enforce criminal laws, including those related to the worst forms of child labor. The Trafficking in Persons Unit investigates and prosecutes cases of child trafficking and commercial sexual exploitation.(24) The Center for the Investigation of Sexual Offences and Child Abuse focuses on victim rehabilitation and educates the public about sexual offenses against children. In addition, it investigates and prosecutes sexual offenses and child abuse cases.(25)
Office of the Children's Registry (OCR)	Receive complaints on a hotline for child abuse, including child labor, child trafficking, and commercial sexual exploitation of children. Refer suspected cases of child abuse to law enforcement.(24)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Jamaica took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$379,200 (1)	\$373,500 (10)
Number of Labor Inspectors	16 (1)	15 (10)
Inspectorate Authorized to Assess Penalties	No (1)	No (10)
Training for Labor Inspectors		
Initial Training for New Employees	N/A (1)	Yes (10)
Training on New Laws Related to Child Labor	N/A (1)	N/A (10)
Refresher Courses Provided	Yes (1)	Yes (10)
Number of Labor Inspections	1,842 (1)	2,504 (10)
Number Conducted at Worksite	1,842 (1)	2,504 (10)
Number Conducted by Desk Reviews	Unknown (1)	0 (10)
Number of Child Labor Violations Found	0 (1)	0 (10)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (1)	0 (10)
Number of Penalties Imposed that Were Collected	N/A (1)	0 (10)
Routine Inspections Conducted	Yes (1)	Yes (10)
Routine Inspections Targeted	Yes (1)	Unknown (10)
Unannounced Inspections Permitted	Unknown (1)	Yes (10)
Unannounced Inspections Conducted	Unknown (1)	Yes (10)
Complaint Mechanism Exists	Yes (1)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (10)

The number of labor inspectors is insufficient for the size of Jamaica’s workforce, which includes over 1.3 million workers. According to ILO’s recommendation of 1 inspector for every 15,000 workers in developing economies, Jamaica should employ about 87 inspectors.(26) Child labor is mostly pervasive in the informal sector, but labor inspectors conduct inspections only in the formal sector, such as factories, building sites, docks, and ships.(1, 10) The Office of Children’s Registry (OCR) receives reports through a toll-free line, 1-888-PROTECT (776-8328), of offenses against children, including child labor, child abuse, and human trafficking. The latest OCR publication on child labor data, from 2014, reported 1,129 suspected cases of child labor.(10, 27)

In June 2016, the Ministry of Labor and Social Security (MLSS) and Jamaica Employer’s Federation, in collaboration with the ILO, held a seminar for businesses about ending child labor in supply chains.(28, 29) In August 2016, the Director of the Child Labor Unit in the MLSS made a public declaration urging citizens not to exploit children for child labor, including street work.(30)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Jamaica took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	N/A (1)	Yes (10)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (1)	N/A (10)
Refresher Courses Provided	Yes (1)	Yes (10)
Number of Investigations	0 (1)	36 (10)
Number of Violations Found	0 (1)	1 (10)
Number of Prosecutions Initiated	0 (1)	0 (10)
Number of Convictions	0 (1)	3 (10)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (10)

The Government provided training to Jamaica Constabulary Force (JCF) officers on child labor laws, tools to combat child labor, and methods to carry out investigations and prosecutions.(8, 10) In November 2016, the JCF Anti-Trafficking in Persons Unit and other Jamaican officials attended training by an instructor from The Safe Center in Nassau County, New York, on how to engage and interact with trafficking victims. Although the JCF Anti-Trafficking in Persons Unit conducted 36 investigations during the year, the number of cases that involved children is unclear.(10)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
MLSS Program for the Elimination of Child Labor	Coordinate the Government’s child labor policies and programs and identify gaps in legislation across ministries. The MLSS collaborates with the other ministries, such as the Ministry of Youth and Culture (OCA, OCR, CDA), the Ministry of Justice (National Task Force Against Trafficking in Persons), and the Ministry of National Security to address gaps in legislation.(2, 31)
National Task Force Against Trafficking in Persons (NATFATIP)	Facilitate information exchanges between government agencies and external stakeholders and create momentum for counter-trafficking efforts. Led by the Ministry of Justice, includes six other agencies and oversees the implementation of the country’s National Action Plan to Combat Human Trafficking.(32) Meets regularly with the JCF, Director of Public Prosecutions, and relevant ministries.(10, 24) The NATFATIP met during the year to plan awareness raising initiatives; resulted in an island-wide campaign that reached over 1,200 people. NATFATIP also developed a trafficking in persons (TIP) curriculum for children in grades seven through nine to focus on how to prevent becoming a victim of TIP.(10)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies on child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Human Trafficking (2015–2018)	Targets law enforcement officials to address the commercial sexual exploitation of children, conducts public awareness campaigns, and implements outreach programs.(33) During the year, the NATFATIP sponsored public awareness campaigns on TIP, operated a shelter for TIP victims, and coordinated interagency efforts on TIP.(34)

The Government has not updated the expired 2015 National Plan of Action on Child Labor and has not included child labor prevention and elimination strategies in the Compulsory Education Policy.(10, 35)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
Program for Advancement through Health and Education (PATH) [†]	Funded by the Government of Jamaica and the World Bank, the conditional cash transfer program helps reduce child labor by requiring participants to attend school at least 85 percent of the academic days in a month.(36-38). During the year, PATH's assistance increased from 223,000 to 250,000 project participants with a total expenditure of \$17.6 million. PATH achieved education compliance rates of 80.75 percent for boys and 84.75 percent for girls at the primary level. It also achieved compliance rates of 76.5 percent for boys and 83.25 percent for girls at the secondary level.(10) In addition, the Government introduced a transportation allowance grant to subsidize the cost of transportation for PATH children.(10)
Child Labor Measurement and Policy Development	USDOL-funded research project implemented by the ILO to increase the knowledge base on child labor by collecting new data, analyzing existing data, and building capacity to conduct research in this area. During the year, the project sponsored four trainings conducted by the Statistical Institute of Jamaica on data collection. The project conducted a main survey on child labor in 441 randomly selected enumeration districts across all the parishes in Jamaica.(39) Additional information is available on the USDOL Web site .

[†] Program is funded by the Government of Jamaica.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms. (1, 12, 40, 41)

In 2016, the Government created an Inter-Ministerial Partnership to provide educational technologies for children with disabilities to ensure that children have access to education and are not vulnerable to the worst forms of child labor. The Government also launched the Global Partnership to End Violence Against Children, which addresses the exploitation of children, including child labor.(42) Although social programs exist they do not fully address the extent of the child labor problem.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Jamaica (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that legislation prohibits the use of children for all illicit activities, including procuring and offering a child for drug trafficking and production.	2009 – 2016
	Determine the specific light work activities and hours permissible for children ages 13 and 14 to facilitate enforcement.	2014 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Authorize the labor inspectorate to assess penalties.	2014 – 2016
	Employ enough labor inspectors to provide sufficient coverage of the workforce.	2014 – 2016
	Ensure that labor inspections are conducted not only in the formal sector, such as factories, building sites, docks, and ships, but also in the informal sector in urban and rural communities.	2014 – 2016
Government Policies	Reinstate and approve the National Action Plan on Child Labor.	2016
	Integrate child labor elimination and prevention strategies into the Compulsory Education Policy.	2014 – 2016
Social Programs	Conduct research to determine the activities carried out by children who are working, especially for children working in agriculture, fishing, and construction, to inform policies and programs.	2013 – 2016
	Expand programs to assist child laborers in street work, commercial sexual exploitation, and the worst forms of child labor.	2013 – 2016

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Jamaica

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In 2016, Jordan made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government released the Summary Report on Main Findings of the National Child Labor Survey and redesigned the National Child Labor Database to contain data about child laborers and their referral to social services. In addition, the Government increased the number of double-shifted schools to expand access to education for Syrian refugee children living in Jordan. However, children in Jordan perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in street work. Programs to combat the worst forms of child labor are insufficient to fully address the extent of the problem. In addition, Syrian children still face barriers to accessing education.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Jordan perform dangerous tasks in agriculture.(1-5) Children also engage in the worst forms of child labor, including in street work.(6-8) Based on the 2016 National Child Labor Survey, approximately 70,000 children are engaged in child labor, most commonly in agriculture and trade. Approximately 80 percent of child laborers are Jordanian and about 15 percent are Syrian.(4) Boys constitute nearly 90 percent of those involved in child labor.(4) Table 1 provides key indicators on children’s work and education in Jordan.

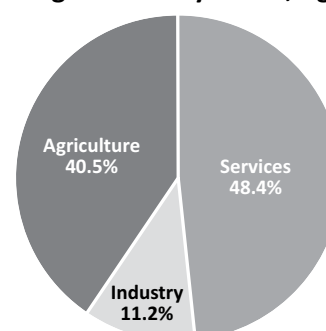
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	0.8 (11,255)
Attending School (%)	5 to 14	94.9
Combining Work and School (%)	7 to 14	0.7
Primary Completion Rate (%)		91.0

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(9)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from National Child Labor Survey, 2007.(10)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including weeding, planting, and harvesting tomatoes and olives (1-4, 6, 11-15)
Industry	Mining† and quarrying† (1, 4, 6)
	Construction,† including building and painting homes (4, 6, 7, 11, 15-18)
	Manufacturing (4, 11, 16)
	Carpentry† (6, 7, 17, 18)
	Blacksmithing† (7, 17)
Services	Repairing automobiles† (4, 7, 12, 18)
	Attending donkeys, camels, and horses to transport tourists (19-21)
	Street work,† including selling items, washing cars, and begging (6-8, 11, 12, 17-19, 22)
	Scavenging scrap metal (23, 24)
	Domestic work† (11, 12, 25)
	Food services, including restaurants and bakeries (4, 6, 12, 16, 17)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Services	Hotel services† (4, 24)
	Hairdressing (6, 11, 19)
	Retail (4, 6, 11)
Categorical Worst Forms of Child Labor‡	Forced begging, sometimes as a result of human trafficking (26, 27)
	Commercial sexual exploitation, sometimes as a result of human trafficking (11, 28-30)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.




‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Syrian children are granted access to Jordanian public schools.(31) Yet, as of December 2016, more than 40,000 Syrian refugee children were not enrolled in formal or informal education, a figure representing 17 percent of all Syrian refugee children ages 5 to 17.(32) Jordan has nearly 500 double-shifted schools to address overcrowding (out of approximately 3,700 schools in the country); of these schools, 198 are for refugee children, mainly Syrian.(33) Jordanian children attend in the morning and Syrian children attend in the afternoon to accommodate the large number of students.(26, 31) One hundred second-shift schools were opened in 2013 and 2014, and an additional 98 were opened in 2016.(33) However, Jordanian and Syrian children attending double-shift schools are vulnerable to child labor because the school hours are considerably shorter, and fewer school hours leave more time for work.(33, 34) Syrian refugee children face barriers to education, including the cost of transportation, uniforms, and school materials; lack of refugee registration and required documents; and being unprepared for their appropriate grade level due to interruptions in their early years of schooling.(15, 35, 36)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Jordan has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Jordan’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Article 73 of the Labor Code (37)
Minimum Age for Hazardous Work	Yes	18	Article 74 of the Labor Code; Article 2 of Ministerial Order of 2011 (37, 38)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 2 of the Ministerial Order of 2011 (38)
Prohibition of Forced Labor	Yes		Article 3(a) and (b) of the Law on the Prevention of Human Trafficking; Articles 17 and 77 of the Labor Code (37, 39)
Prohibition of Child Trafficking	Yes		Article 3(a) of the Law on the Prevention of Human Trafficking (39)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 298, 299, 306, 310, 311, 315, and 319 of the Penal Code; Article 3(b) of the Law on the Prevention of Human Trafficking (39, 40)
Prohibition of Using Children in Illicit Activities	Yes		Article 8 of the Narcotic Drugs and Psychotropic Substances Act (41)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Article 3(a) of the National Service Act (42)
State Voluntary	N/A*		
Non-state Compulsory	No		
Compulsory Education Age	Yes	16	Articles 7(a.2) and 10(b) of the Education Act (43)
Free Public Education	Yes		Article 20 of the Constitution (44)

* No volunteers are accepted to join the armed forces.(45)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Directorate of Labor Affairs and Inspection	Enforce labor laws, including those on child labor.(26) Identify cases of child labor through worksite inspections and refer cases to the relevant services. Register instances of child labor in a National Child Labor Database, which allows ministries to monitor and track children as they are identified and referred to services.(46) Maintain a 24/7 hotline to receive labor-related complaints in Arabic, including complaints of child labor.(31, 47)
Ministry of Labor, Child Labor Unit	Coordinate government efforts to campaign against child labor, conduct trainings, and raise awareness about child labor issues. In 2015, piloted the National Child Labor Database as a data collection, coordination, and referral mechanism.(26) In 2016, the Web site of the National Child Labor Database was launched at a central location for labor inspectors to enter information on child laborers and share it with the Ministry of Education and the Ministry of Social Development.(33)
Public Security Directorate, Criminal Investigation Unit	Investigate and prosecute violations of the Penal Code, including allegations of the worst forms of child labor. Operate a section to combat human trafficking.(26)
Joint Anti-Trafficking Unit of the Ministry of Labor and Public Security Directorate	Investigate cases of human trafficking and forced labor, refer cases for prosecution, and coordinate with foreign embassies to identify victims of human trafficking and repatriate workers.(48)

Labor Law Enforcement

In 2016, law enforcement agencies in Jordan took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$352,187 (26)	\$352,187 (24)
Number of Labor Inspectors	226 (26)	237 (24)
Inspectorate Authorized to Assess Penalties	Yes (49)	Yes (49)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Yes (33)
Training on New Laws Related to Child Labor	Unknown	N/A
Refresher Courses Provided	Yes (26)	Yes (24)
Number of Labor Inspections	1,442 (26)	1,857 (24)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Number Conducted at Worksite	1,442 (26)	Unknown
Number Conducted by Desk Reviews	0	Unknown
Number of Child Labor Violations Found	1,273 (26)	1,442 (24)
Number of Child Labor Violations for Which Penalties Were Imposed	1,016 (26)	1,210 (33)
Number of Penalties Imposed That Were Collected	Unknown	Unknown
Routine Inspections Conducted	Yes (26)	Yes (24)
Routine Inspections Targeted	Yes (26)	Yes (24)
Unannounced Inspections Permitted	Yes (49)	Yes (49)
Unannounced Inspections Conducted	Yes (26)	Yes (24)
Complaint Mechanism Exists	Yes (26)	Yes (24)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (3)

In 2016, the Ministry of Labor hired 11 new inspectors and responded to 58 complaints of child labor cases, received through its Child Labor Unit hotline.(24) When a labor inspector identifies a child laborer, the inspector issues a warning or fine and asks the employer to send the child home while the inspector is still present.(33) A warning requires the employer to sign a pledge declaring that he/she will cease employing children. Without the pledge, the Ministry of Labor can close the business.(26) The information about the child is then shared with the Ministry of Social Development, which contacts the family to identify the appropriate social services. Meanwhile, the labor inspector conducts unannounced follow-up visits at the worksite to ensure compliance.(33) During the reporting period, 584 businesses signed pledges.(24)

Insufficient resources hampered the Ministry of Labor's capacity to enforce child labor laws in the agricultural sector.(24) Based on available information, the Ministry of Labor has not issued regulations on labor inspection in agriculture.(33) This is a problem, particularly because a considerable proportion of child laborers work in agriculture, based on the 2016 National Child Labor Survey.(4)

Jordanian children identified during labor inspections are referred to social services from the Child Labor Unit of the Ministry of Social Development.(33, 50) In contrast, Syrian refugee children who are identified during labor inspections are taken to the Azraq refugee camp and separated from their families. Families that live in the Zaatari refugee camp can go to Azraq to reunify with their children.(33, 51, 52) However, those that live in communities (about 80 percent of all Syrian refugees) may fear that by presenting themselves at Azraq, they, too, will have to stay at Azraq and lose some benefits.(51, 52)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Jordan took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Unknown
Refresher Courses Provided	Yes (53)	Unknown
Number of Investigations	206 (53)	1 (54)
Number of Violations Found	0 (53)	2 (54)
Number of Prosecutions Initiated	N/A	Unknown
Number of Convictions	N/A	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (26)	Yes (26)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Committee on Child Labor	Formulate new policies, amend legislation as necessary, and oversee the implementation of child labor policies, including the National Framework to Combat Child Labor. Led by the Ministry of Labor, members include three other ministries, plus international and civil society organizations.(55)
National Committee for the Prevention of Human Trafficking	Coordinate government efforts to combat human trafficking. Chaired by the Ministry of Justice. Other members include representatives from 10 state agencies, including the Counter Trafficking Unit in charge of human trafficking investigations.(54)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Framework to Combat Child Labor	Outlines the roles and responsibilities of key government agencies, including the ministries of Education, Labor, and Social Development; NGOs; and other stakeholders involved in identifying and responding to cases of child labor. Based on the Framework, Ministry of Labor inspectors monitor child labor and refer cases to the ministries of Social Development and Education for the provision of services.(56) In 2016, the Framework was rolled out in all remaining governorates in the country.(57)
Jordan Response Plan for the Syria Crisis (2016–2018)†	Integrates a refugee-based humanitarian response with a resilience response for local communities in areas such as education and social protection.(36) In academic year 2016–2017, a total of 125,000 Syrian refugee children were enrolled in formal education and an additional 67,000 in non-formal education.(32)
Plan of Action to Eliminate Child Labor in Tourism in Petra	Employs counselors to respond to children at risk of truancy, raise children’s awareness of the hazards of child labor and the significance of education, incorporate child labor prevention strategies into mainstream programs for legally employed children age 16 and older, and inform students about high-quality employment in the tourism sector.(58)

† Policy was approved during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor†

Program	Description
<u>Moving Towards a Child Labor-Free Jordan</u> (2010–2016)	\$4.04 million USDOL-funded, 6-year project implemented by ILO-IPEC to establish a coordinating mechanism on child labor issues and facilitate government implementation of the National Framework to Combat Child Labor. In 2016, the project assisted in conducting the National Child Labor Survey and publishing the summary report, held a regional stakeholder meeting on best practices to address child labor, redesigned the National Child Labor Database, and developed a user manual and training package for the database.(57) For additional information, please visit our Web site .
Ministry of Social Development, Child Labor Unit†	Support children engaged in child labor, return them to school, and provide services to their families; provide vocational training for youth; organize training on child labor for families; and maintain the Web site of the National Child Labor Database, which serves as the national child labor monitoring system.(59)
Child Begging Assistance†	Ministry of Social Development’s shelter in Madaba that provides social services to children engaged in begging.(24) The ministry conducts awareness raising for parents and links this to financial aid that the family receives.(33)

Table 10. Key Social Programs to Address Child Labor[†] (cont)

Program	Description
Non-Formal Education Centers [†]	Operated by the Ministry of Education and local NGO Questscope, and funded by USAID and UNICEF, these centers throughout the country seek to bring school dropouts, including those engaged in or at risk of child labor, back into the educational system. Children attend classes 3 hours a day in a flexible learning environment, with class sizes of around 20 students and specially trained teachers.(33, 34) Targets children ages 13 and older. Upon completion of the curriculum, students receive a certificate indicating equivalency to a 10th-grade education.(34) One center in Petra provides educational services to children at risk of child labor in the tourism industry in Petra.(47, 60) In 2016, 28 new centers were opened, and a total of 4,000 students received services.(33)
Social Support Center in Marka [†]	\$350,000 Ministry of Labor-funded center operated in cooperation with the ILO. Activities include identifying child laborers, providing services such as non-formal education, and assisting families in finding alternate forms of supplemental income.(24)
National Aid Fund [†]	Under the Ministry of Social Development, pays families approximately \$50 a month through a conditional cash transfer program for withdrawing a child from the labor market and re-enrolling the child in school.(47)

[†] Program is funded by the Government of Jordan.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(61, 62)

Although Jordan has programs that target child labor, the scope of these programs does not fully address the extent of the problem, including in agriculture, construction, and street vending.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Jordan (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under 18 into non-state armed groups.	2016
Enforcement	Publish information about the number of inspections at worksites or by desk reviews and the number of penalties collected for child labor violations.	2015 – 2016
	Ensure that Ministry of Labor inspectors have the resources needed to carry out inspections in the agricultural sector, and ensure that regulations are issued to mandate labor inspections in agriculture.	2014 – 2016
	Ensure that refugee children identified during labor inspections are referred to social services and are not taken to Azraq refugee camp and separated from their families.	2016
	Publish information about training provided to criminal investigators, the number of prosecutions, and the number of convictions for the worst forms of child labor.	2015 – 2016
Social Programs	Continue to expand access to education for all children.	2013 – 2016
	Institute programs to address the worst forms of child labor in agriculture, construction, and street vending.	2013 – 2016

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- to the last grade of primary education. A high ratio indicates a high degree of current primary education completion. The calculation includes all new entrants to the last grade (regardless of age). Therefore, the ratio can exceed 100 percent, due to over-aged and under-aged children who enter primary school late/early and/or repeat grades. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
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In 2016, Kazakhstan made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted a Plan of Action on the Elimination of the Worst Forms of Child Labor and carried out targeted child labor inspection raids, resulting in 45,000 site visits. It also carried out awareness-raising campaigns that reached over 1.2 million children. However, children in Kazakhstan engage in the worst forms of child labor, including in harvesting cotton and commercial sexual exploitation. The Government lacks a program to address child labor in harvesting cotton, as well as current, comprehensive, and detailed research on child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Kazakhstan engage in the worst forms of child labor, including in harvesting cotton and commercial sexual exploitation.(1-6) Table 1 provides key indicators on children's work and education in Kazakhstan.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	3.2 (79,690)
Attending School (%)	5 to 14	90.7
Combining Work and School (%)	7 to 14	3.6
Primary Completion Rate (%)		109.2

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2016.(7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 3, 2006.(8)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including producing vegetables, weeding, collecting worms, and harvesting cotton† (1-3, 9-16)
Industry	Construction,† activities unknown (3, 15)
Services	Work in markets and on the streets, including transporting and selling items (3, 14, 15, 17-19)
	Domestic work (3, 20)
	Working in gas stations (17, 20)
	Car washing (3, 15, 17-20)
	Working as bus conductors (3, 21)
	Working in restaurants† as waiters (17, 18, 20, 22)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation as a result of human trafficking (3-6)
	Forced begging as a result of human trafficking (4, 6)
	Forced labor in agriculture, domestic work, and construction, each sometimes as a result of human trafficking (4)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

There is limited evidence that children from the neighboring countries of Uzbekistan and the Kyrgyz Republic migrate with their families to work in the cotton fields in Kazakhstan.(1, 23) There is no current, comprehensive research on child labor in Kazakhstan.




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II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Kazakhstan has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Kazakhstan's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	16	Article 31 of the Labor Code (24)
Minimum Age for Hazardous Work	Yes	18	Article 26.1(2) of the Labor Code (24)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 26.1(2) of the Labor Code; Decree of the Minister of Health and Social Development No. 944 of 2015 (24, 25)
Prohibition of Forced Labor	Yes		Article 7 of the Labor Code; Article 135 of the Criminal Code (24, 26)
Prohibition of Child Trafficking	Yes		Article 135 of the Criminal Code (26)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 134, 135, and 312 of the Criminal Code (26)
Prohibition of Using Children in Illicit Activities	Yes		Articles 132 and 133 of the Criminal Code; Article 26.1(2) of the Labor Code (24, 26)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Article 31 of the Military Service Act (27)
State Voluntary	Yes	19	Article 38.1(2) of the Military Service Act (27)
Non-state Compulsory	Yes	18	Article 41 of the Law on Children's Rights; Article 132 and 267 of the Criminal Code (26, 28)
Compulsory Education Age	Yes	17 [‡]	Article 30 of the Constitution (29)
Free Public Education	Yes		Article 8.2 of the Education Act (30)

[‡] Age calculated based on available information

According to Article 26.1(2) of the Labor Code, protections, such as the minimum age of employment and prohibitions on hazardous work, are not extended to children engaged in non-contractual employment.(29)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Health and Social Development, Committee on Labor, Social Protection and Migration	Enforce child labor laws and manage child labor cases at the province—or <i>oblast</i> —level.(21, 31)
Ministry of Education and Science	Receive child labor complaints and determine if law enforcement should investigate cases. Mediate cases of child labor in the agricultural sector and encourage parents to keep their children in school.(31) An official from the <i>oblast</i> -level Department of Education responds to reports of child labor and determines whether law enforcement should investigate the case. If the case is in agriculture, local officials meet with parents and school officials to reinforce that children should be at school during the academic year.(3) The Ministry of Education and Science’s Center for the Adaptation of Minors provides assistance to child victims of the worst forms of child labor, receives reports of child labor through its hotline, and makes referrals to appropriate government services or NGOs for further assistance.(32-34)
Ministry of Internal Affairs	Investigate criminal cases of the worst forms of child labor and train police in investigating the worst forms of child labor, including commercial sexual exploitation.(32, 35) The Anti-Trafficking Unit of the Criminal Police Department identifies and investigates cases of child trafficking.(31) Receive reports of child labor through its hotline and make referrals to services.(34)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Kazakhstan took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown* (36)
Number of Labor Inspectors	320 (21)	320 (3)
Inspectorate Authorized to Assess Penalties	Yes (37)	Yes (3)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Yes (36)
Training on New Laws Related to Child Labor	Unknown	Yes (36)
Refresher Courses Provided	Yes (21)	Yes (3)
Number of Labor Inspections	11,400 (38)	7,897‡ (36)
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	400 (38)	60 (36)
Number of Child Labor Violations for Which Penalties Were Imposed	82 (38)	17 (36)
Number of Penalties Imposed That Were Collected	Unknown	17 (36)
Routine Inspections Conducted	No (21)	No (3)
Routine Inspections Targeted	N/A	N/A
Unannounced Inspections Permitted	Yes (39)	Yes (40)
Unannounced Inspections Conducted	Yes (21)	Yes (3)
Complaint Mechanism Exists	Yes (21)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (21)	Yes (3)

* The Government does not publish this information.

‡ Data are from January 1 to September 30, 2016.

The number of labor inspectors is insufficient for the size of Kazakhstan’s workforce, which includes over 9 million workers.(41) According to the ILO recommendation of 1 inspector for every 20,000 workers in transitional economies, Kazakhstan should employ about 450 inspectors.(21, 42, 43)

The President’s Decree No. 757 prohibited announced labor inspections.(44) Labor inspectors at the Ministry of Health and Social Development can conduct unannounced inspections only if they have evidence of labor violations or in response to complaints.(3)

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The Ministry of Education and Science, in cooperation with other government agencies, carried out targeted raids in areas in which children were likely to be engaged in child labor, such as local markets, gas stations, construction sites, bus stations, and nightclubs. The raids were part of an annual Twelve Days Against Child Labor and quarterly Children at Night Time campaigns to detect child labor, including its worst forms.⁽³⁾ The raids resulted in about 45,000 site visits cumulatively. As a result of such raids, 31 child laborers were identified.⁽³⁾

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Kazakhstan took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Yes (36)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	N/A
Refresher Courses Provided	Yes (21)	Yes (3)
Number of Investigations	22 (21)	13 (3)
Number of Violations Found	5 (21)	13 (36)
Number of Prosecutions Initiated	5 (21)	10 (36)
Number of Convictions	4 (21)	3 (36)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (21)	Yes (3)

In 2016, the Ministry of Internal Affairs' Legal Academy in the city of Karaganda and the Judicial Training Institute of the Supreme Court in the capital city of Astana held human trafficking trainings for 166 judges and 133 police officers. The Anti-Trafficking Unit employed 42 officers.⁽³⁾

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
The Institute of the Ombudsman for Children Rights	Control and monitor observance of the rights of children; receive and respond to complaints about violations of children's rights.
National Coordination Council on Child Labor	Implement the Plan of Action on the Elimination of the Worst Forms of Child Labor, adopted in 2016. ⁽⁴⁵⁾ Chaired by the Minister of Health and Social Development, includes representatives from four government agencies and NGOs. ⁽²¹⁾
Interagency Trafficking in Persons Working Group	Coordinate efforts to combat human trafficking and recommend improvements to anti-human-trafficking legislation, prevention strategies, protection of victims, and prosecution of offenders. ⁽⁴⁶⁾ Chaired by the Ministry of Internal Affairs and the Ministry of Healthcare and Social Development on a 2-year rotational basis. Its members include 14 state bodies, 2 international organizations, and 5 NGOs. In 2016, the Working Group continued to implement the Action Plan to Combat Human Trafficking (2015–2017). ⁽³⁾
Committee for the Protection of Child Rights	Work to protect children from exploitation. Operate under the Ministry of Education and Science at the <i>oblast</i> -level departments of education. ⁽³¹⁾ Met twice in 2016. ⁽³⁾

In 2016, the Government established the Institute of the Ombudsman for Children Rights to monitor observance of the rights of children, receive and respond to complaints about violation of children's rights; but it is unclear whether it addressed child labor.⁽³⁶⁾

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
Plan of Action on the Elimination of the Worst Forms of Child Labor (2016–2017) [†]	Addresses four priority areas: (1) child labor policy and legislation improvement, implementation, and monitoring, including the rights of children of migrants and seasonal workers and their access to education, and developing the list of light work for children ages 14–16 years; (2) child labor coordination between Government agencies, including monitoring access to education for children of migrant and seasonal workers, reporting on implementation of international conventions on the worst forms of child labor, and developing regional social partnership on elimination of child labor; (3) prevention of child labor and rehabilitation of child laborers, including identifying and referring children to Centers for Adaptation and monitoring implementation of ministerial orders on employment opportunities for youth over age 16 from dysfunctional or low-income families; and (4) promotion of public awareness on child labor, conduct of informational campaigns, and involvement of journalists and media resources.(36)
Action Plan to Combat Human Trafficking (2015–2017)	Aims to strengthen coordination among Government ministries and with foreign governments and international organizations. Emphasizes victim assistance and prevention, specifically to prevent child labor in the production of cotton and construction, to provide access to education for children of stateless and foreign individuals permanently living in Kazakhstan, to monitor and exchange data on the trafficking of children and child pornography, and to enforce criminal laws on the worst forms of child labor.(47) In 2016, the Interagency Trafficking in Persons Working Group took actions to implement this policy, including conducting raids to detect and investigate cases of child labor, training criminal law enforcement officials, raising public awareness on child labor, including its worst forms, and providing services to victims of child trafficking.(3)

[†] Policy was approved during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
Assistance to Trafficking Victims [†]	Provides medical and legal assistance, pretrial safe houses, security services, housing, food, clothing, and transportation to trafficking victims. Authorities can help victims or witnesses change residences, find employment, or change their physical appearance.(48) In 2016, Government-funded shelters provided services to child victims of human trafficking.(3)
Awareness-Raising Campaigns [†]	The Ministry of Education and Science, in cooperation with other Government agencies, carried out child labor awareness-raising campaigns that reached 1.2 million children, plus 200,000 adults, through conferences, meetings, competitions, and media reports.(3)

[†] Program is funded by the Government of Kazakhstan.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(49)

Although the Government of Kazakhstan implemented programs to combat human trafficking and provide assistance to trafficking victims in 2016, research found no evidence that it has carried out programs to assist children engaged in child labor, particularly in the production of cotton.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Kazakhstan (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law's minimum age provisions and hazardous work prohibitions apply to all children, including those working without a signed employment contract.	2016
Enforcement	Publish information about the funding of the inspectorate and the number of inspections at worksites or by desk review.	2015 – 2016
	Increase the number of labor inspectors to meet the ILO recommendation.	2014 – 2016
	Resume routine labor inspections to enforce child labor laws, particularly targeting cotton fields and other areas where children are employed.	2013 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Social Programs	Conduct research to gather comprehensive data on child labor, including the activities carried out by children working in the construction and services industries, to inform policies and programs.	2013 – 2016
	Institute programs to address child labor, particularly in the production of cotton.	2014 – 2016

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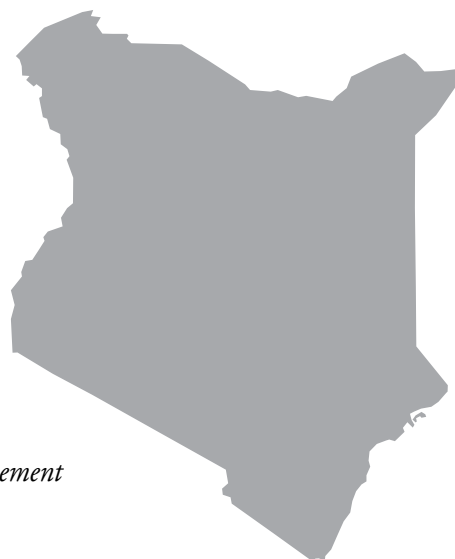
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Kenya

MODERATE ADVANCEMENT

In 2016, Kenya made a moderate advancement in efforts to eliminate the worst forms of child labor. Kenya's parliament passed the National Policy on the Elimination of Child Labor. In addition, the Kenyan police established a new Child Protection Unit to investigate cases of child exploitation such as commercial sexual exploitation. The Government also participated in social programs to combat the worst forms of child labor. However, children in Kenya engage in the worst forms of child labor, including in agriculture and commercial sexual exploitation. Kenya has yet to ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. In addition, the age gap between the compulsory education age and the minimum age for work leaves children vulnerable to child labor, as they are not required to attend school at age 14 but cannot legally work until age 16. The Government has also not committed sufficient resources for enforcement efforts.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Kenya engage in the worst forms of child labor, including in agriculture and commercial sexual exploitation. (1-5) Table 1 provides key indicators on children's work and education in Kenya.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	35.6 (3,736,030)
Attending School (%)	5 to 14	85.8
Combining Work and School (%)	7 to 14	23.0
Primary Completion Rate (%)		105.2

Source for primary completion rate: Data from 2015, published by the UNESCO Institute for Statistics, 2016. (6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Population and Housing Census, 2009. (7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming,† including the production of tea, coffee, <i>miraa</i> ,† rice, sisal, sugarcane, tobacco, corn, flowers, and cotton (4, 8-15)
	Herding livestock† (4, 8, 13)
	Fishing,† including for tilapia, sardines, and other fish (4, 8, 16-20)
	Burning wood to produce charcoal (4, 8, 16, 21)
Industry	Construction,† including carrying heavy loads (4, 8, 13)
	Quarrying,† including for stones and coral (4, 8, 14, 21)
	Harvesting sand† (4, 8, 13, 16, 21-24)
	Making bricks† (4, 13, 21)
	Mining† for gold and salt (4, 8, 13, 14, 25, 26)
	Working in slaughterhouses,† including disposal of after-products and cleaning (4, 27)
Services	Domestic work† (4, 8, 14, 16, 20-22, 27)
	Street work, including vending (4, 5, 13, 14, 27)
	Transporting goods† and people† by bicycle, motorcycle, and handcart† (4, 8, 21)
	Scavenging for scrap materials† (4, 8, 14, 16, 19, 27)
	Begging† (4, 8, 28)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (4, 8, 14, 16, 17, 29-33)
	Use in illicit activities, including drug trafficking (4, 13, 26)
	Begging, street vending, domestic service, herding livestock, fishing, and work on tobacco farms, sometimes as a result of human trafficking (4, 8, 11, 14, 17, 29, 32-35)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Kenyan children are subjected to trafficking inside the country, typically by family or friends, to perform domestic work, agriculture work, and street vending.(33, 36) Children in Kenya scavenge dumpsites and streets for scrap material, including metal and glass.(8, 14, 16) These children earn about \$1–\$2 per day, while often risking injury and exposing themselves to infectious diseases, such as tetanus, by sorting through waste. Evidence suggests that such children are also exposed to mercury due to e-waste recycling and gold mining.(8) Reports also indicate that children ages 10–17 mine or harvest sand and work in Busia, Homa Bay, Kilifi, Kitui, Machakos, and Nakuru counties, increasing their likelihood of developing aggravated asthma, lung or heart disease, and cancer.(1, 22, 23, 37-39) The commercial sexual exploitation of children, sometimes as a result of human trafficking, is also a problem in Kenya, especially in the cities of Eldoret, Kisumu, Nairobi, Nyeri, and in coastal areas.(8, 14, 16, 30, 31, 33) The majority of children who are engaged in commercial sexual exploitation are girls, but boys are also involved.(8, 14)

Kenyan law mandates free education and prohibits schools from charging tuition fees. However, the cost of unofficial school fees, books, and uniforms prevent some children from attending school.(18, 23, 40-43) The Births and Deaths Registration Act mandates birth registration, but many children living in rural areas are not registered at birth. As a result, nonregistered children have difficulty accessing services such as education because they must provide a birth certificate before enrolling in school or sitting for exams.(14, 44-46) Teacher and school shortages further hinder children’s access to education.(4) Teachers sexually abusing children also negatively affect school attendance. In addition, in isolated cases, some school administrators deny pregnant girls admittance to schools.(14, 47, 48) The last national child labor survey was conducted in 2000.(7) As a result, data may no longer reflect the current child labor situation in Kenya.

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Kenya has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	✓

Kenya has not ratified the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, although commercial sexual exploitation of children continues to be a problem in Kenya.

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Kenya’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	16	Section 56 of the Employment Act; Section 10.4 of the Children Act; Section 12 of the Employment (General) Rules (43, 49, 50)
Minimum Age for Hazardous Work	Yes	18	Sections 2 and 53.1 of the Employment Act; Sections 2 and 10.1 of the Children Act (43, 49)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 12 and the Fourth Schedule of the Employment (General) Rules; Section 10.1 of the Children Act (43, 50)
Prohibition of Forced Labor	Yes		Article 30 of the Constitution; Sections 4.1 and 53.1 of the Employment Act; Sections 174 and 254–266 of the Penal Code; Article 3 of the Counter-Trafficking in Persons Act; Article 13 of the Sexual Offences Act; Section 13.1 of the Children Act (43, 49, 51–54)
Prohibition of Child Trafficking	Yes		Article 3 of the Counter-Trafficking in Persons Act; Article 13 of the Sexual Offences Act; Section 13.1 of the Children Act; Section 53.1 of the Employment Act; Sections 174 and 254–263 of the Penal Code (43, 49, 52–54)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 8 and 9, 11 and 12, and 14–16 of the Sexual Offences Act; Sections 2 and 53.1 of the Employment Act; Section 15 of the Children Act (43, 49, 54)
Prohibition of Using Children in Illicit Activities	Yes		Sections 2 and 53.1 of the Employment Act; Section 16 of the Children Act (43, 49)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		Article 243 (1) of the Kenya Defence Forces Act (55)
State Voluntary	Yes	18	Section 10.2 of the Children Act; Article 243 (1) of the Kenya Defence Forces Act (43, 55)
Non-state Compulsory	Yes	18	Article 3 of the Counter-Trafficking in Persons Act (53)
Compulsory Education Age	Yes	14‡	Sections 28 and 30 of the Basic Education Act (42, 56, 57)
Free Public Education	Yes		Section 7.2 of the Children Act; Sections 28, 29, and 32 of the Basic Education Act; Article 53(b) of the Constitution (42, 43, 51)

* No conscription (55)

‡ Age calculated based on available information (56, 57)

Under Kenyan law, children working without a formal contract are not afforded minimum age protections.(43, 49) The Government has reported that children are required to attend school only until age 14, making children ages 14–15 vulnerable to child labor because they are not required to attend school but cannot legally work.(56, 57)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Social Security and Services (MLSS)	Enforce labor laws, including those related to child labor, through county labor officers in Kenya's 47 counties.(8, 58, 59) Through its Child Labor Division, coordinate activities to eliminate child labor.(8) Coordinate services provided to children, ensure that child protection activities are being implemented countrywide, and maintain records on children and the services provided to them.(8)
National Police Service	Enforce laws related to the worst forms of child labor.(8) Includes an Anti-Trafficking Police Unit focused on prevention of commercial sexual exploitation of children, child trafficking, and the use of children in illicit activities. Tourism Police Unit addresses commercial sexual exploitation of children in the tourism industry.(60) In 2016, launched a police unit dedicated to the fight against commercial sexual exploitation of children.(5)
Office of the Director of Public Prosecutions	Enforce laws through the prosecution of criminal offenses, including labor-related offenses.(4)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Kenya took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	95 (4)	87 (5)
Inspectorate Authorized to Assess Penalties	No (4)	No (5)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	N/A (5)
Training on New Laws Related to Child Labor	N/A	N/A (5)
Refresher Courses Provided	No	No (5)
Number of Labor Inspections	Unknown	Unknown (5)
Number Conducted at Worksite	Unknown	Unknown (5)
Number Conducted by Desk Reviews	Unknown	Unknown (5)
Number of Child Labor Violations Found	Unknown	Unknown (5)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown (5)
Number of Penalties Imposed That Were Collected	Unknown	Unknown (5)
Routine Inspections Conducted	Unknown	Unknown (5)
Routine Inspections Targeted	Unknown	Unknown (5)
Unannounced Inspections Permitted	Yes (4)	Yes (5)
Unannounced Inspections Conducted	Unknown	Unknown (5)
Complaint Mechanism Exists	Yes (4)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (4)	Yes (5)

The number of labor inspectors is insufficient for the size of Kenya's workforce, which includes over 18 million workers. According to the ILO recommendation of 1 inspector for every 15,000 workers in developing economies, Kenya should employ roughly 1,244 labor inspectors.(61-63) Reports also suggest that the Ministry of Labor, Social Security and Services budget is inadequate and hampers the labor inspectorate's capacity to enforce child labor laws.(5, 8, 64) Labor inspectors cannot issue fines or penalties but can send a compliance letter to an employer that dictates how much time the employer has to correct the violation.(5) The Government operates an emergency, toll-free, nationwide child hotline to report child abuse, including child labor, and refers callers to organizations for social protection services.(8, 65, 66) In 2016, research found no information about the number of calls received concerning the worst forms of child labor.

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Kenya took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (32)	Unknown (5)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (5)
Refresher Courses Provided	Yes (32)	Unknown (5)
Number of Investigations	Unknown	Unknown*
Number of Violations Found	Unknown	Unknown*
Number of Prosecutions Initiated	Unknown	Unknown*
Number of Convictions	Unknown	Unknown*
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (29)	Unknown

* The Government does not publish this information.

Kenya

MODERATE ADVANCEMENT

In 2016 the Kenyan police, in collaboration with the UK National Crime Agency, established a Child Protection Unit to address child exploitation, – including child labor – due to a number of high-profile cases of UK citizens committing sexual offenses against Kenyan children. The unit so far has protected 150 children and is currently pursuing 15 cases against child sex offenders.(5)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee on Child Labor	Oversee efforts to eliminate child labor.(8) Comprises government agencies, private employers, workers' organizations, and civil society organizations. Chaired by the Permanent Secretary, with coordination duties performed by the MLSSS Child Labor Division.(27)
National Council for Children's Services	Coordinate quarterly government efforts on child-related issues, including child labor.(8) Operate the National Children Database, which collects comprehensive data on children, including data on child labor.(8) Led by a presidential appointee. Comprises 18 NGOs, private sector representatives, faith-based organizations, and representatives from various ministries.
National Labor Board	Advise the Cabinet Secretary of Labor, Social Security, and Services on all issues related to labor and employment, including legal and policy issues.(27)
Counter-Trafficking in Persons Advisory Committee	Coordinate the implementation of policies related to human trafficking and provide prevention and protection services to victims. Mandated by the Counter-Trafficking in Persons Act.(53) Comprises multiple government agencies, private employers, workers' organizations, and civil society organizations.(36)
Local, Advisory, and District Child Labor Committees	Coordinate activities to eliminate child labor at the local level.(8)

Although the Government has coordination mechanisms, research could not find information about their accomplishments during the year.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
National Policy on the Elimination of Child Labor (2016)	Proposes strategies to prevent, identify, withdraw, rehabilitate, and reintegrate children involved in child labor, including its worst forms.(67)
National Plan of Action Against Sexual Exploitation of Children in Kenya (2013–2017)	Aims to prevent, protect, and reintegrate child victims of commercial sexual exploitation. Emphasizes identifying children engaged in commercial sexual exploitation; raising the awareness of community leaders, parents, and tourism employees on commercial sexual exploitation; and implementing programs to assist victims.(66)
Framework for the National Child Protection System for Kenya (2011)	Describes the laws and policies that protect children from violence and exploitation, and the roles and responsibilities of the Government to protect children from exploitative work.(68)
County Integrated Development Plan	Serves as a guide for a county's development planning processes. Required of all 47 counties in Kenya.(69) For example, the plan addresses child labor on coffee and tea estates in Kiambu County and the issue of street children in Turkana County. (70, 71)

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(72)

The National Plan of Action Against Sexual Exploitation of Children in Kenya did not include a corresponding budget.(66) Child labor elimination and prevention strategies do not appear to be integrated into the UN Development Assistance Framework, Policy for Alternative Provision of Basic Education and Training, Kenya National Social Protection Policy, and the National Education Sector Support Program.(5, 73, 74)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
Projects to Combat Child Labor and Increase Education Access [†]	Government programs that aim to combat child labor, including its worst forms, such as commercial sexual exploitation of children and child trafficking. Child Protection and Rescue Centers temporarily house child victims and provide counseling and reintegration services for children; Kitui County Child Rescue Center, which withdraws and rehabilitates child laborers, provides counseling and life skills training. An NGO estimated that 600,000 street children live in Nairobi County. Government commissioned \$2 million to build a residence to house street children.(5) School Meals Program has served 1.5 million vulnerable children, resulting in improved school attendance.(4, 8, 75, 76)
National Safety Net Program for Results [†]	\$411 million, government-funded, 5-year cash transfer and social safety net program, with support from the World Bank, benefitted 353,000 households by assisting families of working children, orphans, and vulnerable children to meet their basic needs and pay for school-related costs. Budget allocation of \$87 million for 2015–2016. (4, 8, 27, 76)
USDOL-Funded Projects to Combat Child Labor and Support Youth Apprenticeships	USDOL-funded projects to combat child labor and support youth apprenticeships. Includes \$15.9 million Global Action Program on Child Labor Issues Project (2011–2016), implemented by ILO in approximately 40 countries, including Kenya; \$3 million Better Utilization of Skills for Youth (BUSY) Through Quality Apprenticeships (2016–2019)*; and \$1.4 million Promoting Apprenticeship as a Path for Youth Employment in Kenya Through Global Apprenticeship Network (GAN) National Networks (2016–2018). * Additional information is available on the USDOL Web site .
UN Agency Implemented Projects	Strengthening Human Security in Turkana, a program lead by ILO and in collaboration with the Government to improve human security issues in Turkana that resulted in withdrawing 1,215 children from child labor. Refugee Assistance Program, a UNICEF-implemented program, provided educational and nutritional services to 320,250 children. Regional Counter-Trafficking Project, an IOM-implemented program, combats human trafficking through prevention, protection, and support for victims.(77-79)
Child Labor Free Supply Chain Certifications	Government program supported by an NGO, CESVI, develops child labor-free supply chain certifications.(8, 80)

* Program was launched during the reporting period.

† Program is funded by the Government of Kenya.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(4, 79, 81-83)

Although Kenya has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, especially the commercial sexual exploitation of children.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Kenya (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2016
	Ensure that minimum age laws apply to children working in non-contractual employment.	2011 – 2016
	Raise the compulsory education age to 16 to be equivalent to the minimum age for work.	2013 – 2016
Enforcement	Publish information about the labor inspectorate, including funding, training, inspections, child labor violations, penalties imposed, and whether routine and unannounced inspections are conducted; and ensure that labor enforcement efforts are adequately funded.	2009 – 2016
	Publish information about criminal law enforcement's efforts to investigate, prosecute, and convict perpetrators of the worst forms of child labor.	2009 – 2016
	Increase the number of labor inspectors to provide sufficient coverage for the workforce.	2015 – 2016
	Authorize labor inspectors to assess penalties for child labor violations.	2010 – 2016
	Disaggregate and publish the number of child labor complaints received by the hotline.	2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Coordination	Publish information about child labor coordination activities, including meetings during the year and efforts to address child labor issues.	2016
Government Policies	Integrate child labor elimination and prevention strategies into the UNDAF, National Education Sector Support Program, Kenya National Social Protection Policy, and Policy for Alternative Provision of Basic Education and Training.	2013 – 2016
	Include a budget in the National Plan of Action Against Sexual Exploitation of Children in Kenya.	2013 – 2016
Social Programs	Update data on child labor by conducting a national child labor survey.	2014 – 2016
	Ensure that children can attend primary school, either by ensuring that school is free of fees or by subsidizing or defraying the cost of school fees, books, and uniforms. Improve access to education by training new teachers, ensuring that pregnant girls can remain in school, addressing sexual abuse in schools, and ensuring that children are registered at birth.	2010 – 2016
	Expand existing programs to address the scope of the child labor problem, including children engaged in commercial sexual exploitation.	2009 – 2016

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In 2016, Kiribati made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government provided employers, workers, and government officials with training on the new Employment and Industrial Relations Code and Occupational Safety and Health Act. Although research is limited, there is evidence that children in Kiribati perform dangerous tasks in construction and street vending. Existing laws do not identify hazardous occupations and activities prohibited for children. The Government has not established a coordinating mechanism or adopted a national policy to combat the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Kiribati perform dangerous tasks in construction and street vending.⁽¹⁾ Table 1 provides key indicators on children's work and education in Kiribati. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		112.4

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.⁽²⁾
Data were unavailable from Understanding Children's Work Project's analysis, 2015.⁽³⁾

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity




Sector/Industry	Activity
Agriculture	Cutting toddy palm trees for toddy (1)
	Fishing and harvesting clams (1)
Services	Construction, portering, and seafaring (1, 4)
	Street vending and working in kava bars (1, 4, 5)
	Domestic work (4)

Although education is free and compulsory for all children until age 16, children face barriers to accessing education due to associated costs and the lack of schools in remote areas.^(1, 4, 6)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Kiribati has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Kiribati's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Section 115 of the Employment and Industrial Relations Code (7)
Minimum Age for Hazardous Work	Yes	18	Section 117 of the Employment and Industrial Relations Code (7)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Sections 244 and 249 of the Penal Code; Sections 118(1)(a, c, d) and 122 of the Employment and Industrial Relations Code (7-9)
Prohibition of Child Trafficking	No		Section 43 of the Measures to Combat Terrorism and Transnational Organized Crime Act; Section 118(1)(b) of the Employment and Industrial Relations Code (7, 10)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 136, 141, and 142 of the Penal Code; Sections 118(1)(f) and 118(1)(g) of the Employment and Industrial Relations Code (7, 8)
Prohibition of Using Children in Illicit Activities	Yes		Section 142 of the Penal Code; Sections 118(1)(h) and 118(1)(i) of the Employment and Industrial Relations Code (7, 8)
Minimum Age for Military Recruitment			
State Compulsory	N/A†		
State Voluntary	N/A†		
Non-state Compulsory	Yes	18	Sections 118(1)(e) of the Employment and Industrial Relations Code (7)
Compulsory Education Age	Yes	16	Section 7 of the Education Act (11)
Free Public Education	Yes		Section 11 of the Education Act (11)

† No standing military (12)

Kiribati has not identified by national law or regulation the types of hazardous work prohibited for children. The Employment and Industrial Relations Code does not specify the activities and hours of work per week that are acceptable for children engaged in light work, or the conditions under which light work can be undertaken.(7) Kiribati's laws prohibiting child trafficking are insufficient because they do not specifically prohibit trafficking children domestically.(7, 10)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Human Resources Development	Enforce labor laws, including those related to child labor.(13)
Kiribati Police Force	Enforce criminal laws related to the worst forms of child labor. Investigate cases of human trafficking and sexual exploitation of children through a special Domestic Violence and Sexual Offenses Unit.(14)
Child Protection Officer, Ministry of Women, Youth and Social Affairs (MWYSA)	Remove children from harmful situations, including as a result of sexual exploitation and harsh or exploitative labor.(13, 15)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Kiribati took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$360,000 (16)	Unknown (16)
Number of Labor Inspectors	7 (13)	7 (13)
Inspectorate Authorized to Assess Penalties	Unknown (16)	Unknown (16)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown (16)	Unknown (16)
Training on New Laws Related to Child Labor	N/A	Yes (17)
Refresher Courses Provided	Unknown (16)	Yes (16)
Number of Labor Inspections	Unknown (16)	Unknown (16)
Number Conducted at Worksite	Unknown (16)	Unknown (16)
Number Conducted by Desk Reviews	Unknown (16)	Unknown (16)
Number of Child Labor Violations Found	Unknown (16)	Unknown (16)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (16)	Unknown (16)
Number of Penalties Imposed that Were Collected	Unknown (16)	Unknown (16)
Routine Inspections Conducted	Unknown (16)	Unknown (16)
Routine Inspections Targeted	Unknown (16)	Unknown (16)
Unannounced Inspections Permitted	Unknown (16)	Unknown (16)
Unannounced Inspections Conducted	Unknown (16)	Unknown (16)
Complaint Mechanism Exists	No (13)	No (13)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Unknown (16)

The Ministry of Labor has no dedicated labor inspectors, but it has seven labor officers, six of whom are based in the capital city, Tarawa, and are tasked with conducting inspections.(13, 14) There are not enough officers to provide inspection services.(13)

In 2016, the Government trained about 50 employers, workers, and government officials on the new Employment and Industrial Relations Code and Occupational Safety and Health Act.(16)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Kiribati took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown (16)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Unknown (16)
Refresher Courses Provided	Yes (18)	Unknown (16)
Number of Investigations	0 (13)	Unknown (16)
Number of Violations Found	Unknown (13)	Unknown (16)
Number of Prosecutions Initiated	Unknown (13)	Unknown (16)
Number of Convictions	Unknown (13)	Unknown (16)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown	Yes (16)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Research found no evidence that the Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 8).

Table 8. Key Policies Related to Child Labor[‡]

Policy	Description
Children, Young People, and Families Welfare System Policy	Focuses on strengthening the welfare system, in part by implementing services to prevent the abuse, violence, neglect, and exploitation of children and young people, including in hazardous labor.(19) During the reporting period, trainings for welfare officers were conducted and outreach programs on counseling and parenting were provided to improve parent, caregiver, and community skills to create an environment that protects children from violence, abuse, and exploitation.

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(20, 21)

Although the Government has adopted the Children, Young People, and Families Welfare System Policy, research found no evidence of a policy that focuses on combating the worst forms of child labor.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 9).

Table 9. Key Social Programs to Address Child Labor

Program	Description
Pacific Sub-Regional Child Labor and Trafficking Program	ILO-supported program that expands the work and lessons learned from its TACKLE program in Fiji to Kiribati, Samoa, and Solomon Islands.(4) Activities include facilitating meetings, conducting research, raising awareness, providing trainings, and building government capacity to address child labor.(22)
Safenet [†]	MWYSA-coordinated program that allows government, churches, and NGOs to provide assistance to victims found in exploitative and violent situations.(13)
Hotlines [†]	MWYSA-supported 24-hour hotline for children to report violations, request information, or obtain access to services.(14) Domestic Violence and Sexual Offenses unit operates two 24-hour phone-line services for reporting exploitation and abuse.(23)

[†] Program is funded by the Government of Kiribati.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Kiribati (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2011 – 2016
	Ensure that the law specifies the activities and number of hours of work per week that are acceptable for children engaged in light work, as well as the conditions under which children can engage in light work.	2015 – 2016
	Ensure that the law specifically prohibits the trafficking of children domestically.	2015 – 2016
Enforcement	Collect and publish data on the enforcement of child labor laws, including the number of labor inspections conducted, child labor violations found, and penalties imposed. Collect and publish data on the enforcement of criminal laws prohibiting the worst forms of child labor, including the number of violations found, prosecutions initiated, and convictions completed.	2012 – 2016
	Establish a mechanism for child labor complaints.	2015 – 2016
	Employ an adequate number of labor inspectors and ensure they receive sufficient resources to investigate child labor violations.	2010 – 2016
Coordination	Establish a mechanism to coordinate the Government's efforts to combat child labor, including its worst forms.	2013 – 2016
Government Policies	Ensure that policies seeking to prevent and respond to child exploitation also address the worst forms of child labor.	2014 – 2016
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children by alleviating school fees and increasing access to schools in remote locations.	2014 – 2016

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Kosovo

SIGNIFICANT ADVANCEMENT

In 2016, Kosovo made a significant advancement to eliminate the worst forms of child labor. The Government drafted the Law on Child Protection, which would prohibit the use of children in illicit activities, and reauthorized the Committee for Prevention and Elimination of Child Labor to monitor child labor issues. The Government also increased funding for labor inspections and approved a new policy to improve education access for Roma, Ashkali, and Egyptian children. In addition, the Government funded and participated in programs that include the goal of eliminating or preventing child labor and improving education access for children vulnerable to child labor. However, children in Kosovo engage in the worst forms of child labor, including in commercial sexual exploitation and street work. Children from minority communities continue to face barriers to accessing education. In addition, the Labor Inspectorate continues to face financial and human resource constraints that impede its ability to conduct inspections in all relevant sectors.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Kosovo engage in the worst forms of child labor, including in commercial sexual exploitation and street work.(1-6) A Multiple Indicator Cluster Survey (MICS) conducted from 2013 to 2014 determined that 5,398 children in Kosovo were engaged in child labor.(7) A parallel MICS targeting the Roma, Ashkali, and Egyptian communities in Kosovo found that 2,168 children from these communities were engaged in child labor.(8) Data on key indicators on children's work and education are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	11.7 (324,764)
Attending School (%)	5 to 14	95.4
Combining Work and School (%)	7 to 14	13.1
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2016.(9)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 5, 2014.(10)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, activities unknown (3, 11)
	Forestry, activities unknown (12)
Industry	Mining, including for coal† (3, 4, 13, 14)
Services	Street work,† including vending small items,† transporting goods,† and begging† (1, 3, 4, 11, 13-15)
	Scavenging at dumpsites† (3, 4, 11)
	Cleaning hotels and offices (16)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [†]	Forced begging, sometimes as a result of human trafficking (1, 4, 6, 17-19)
	Commercial sexual exploitation, sometimes as a result of human trafficking (3-6, 17)
	Use in illicit activities (3, 16)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.







Kosovo is a source and destination country for child trafficking, especially of girls, who are sometimes coerced into forced labor by organized criminal groups.(5, 6, 20) Children from Kosovo and neighboring countries are also subjected to forced begging in Kosovo, with the majority coming from the Roma, Ashkali, and Egyptian minority ethnic groups.(1, 4, 6, 20) Ashkali, Egyptian, and Roma children, especially girls, continue to experience difficulty accessing education.(21-23) Birth certification is required for attending school in Kosovo. Some Roma children have challenges obtaining a birth certificate, which makes school enrollment difficult.(23-26) Children out of school are vulnerable to engage in the worst forms of child labor.

In addition, non-state armed groups, such as the Islamic State of Iraq and Syria (ISIS), recruited parents, along with their children, from Kosovo for use in armed conflict in Syria.(27, 28)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Kosovo has ratified no key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	N/A
 ILO C. 182, Worst Forms of Child Labor	N/A
 UN CRC	N/A
 UN CRC Optional Protocol on Armed Conflict	N/A
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	N/A
 Palermo Protocol on Trafficking in Persons	N/A

Kosovo is not a UN member country; therefore, the Government is not eligible to ratify international conventions concerning child labor. Article 22 of Kosovo’s Constitution, however, incorporates the UN CRC into the national legal framework.(29)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Kosovo’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 7 of the Labor Law (30)
Minimum Age for Hazardous Work	Yes	18	Articles 20, 23, 26–27, and 45 of the Labor Law (30)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Administrative Instruction No. 05/2013; Article 45 of the Labor Law; Administrative Instruction No. 2008 (14, 30, 31)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Forced Labor	Yes		Article 6 of the Labor Law; Articles 169, 171, and 231 of the Criminal Code; Law on the Prevention and Elimination of Human Trafficking and Protection of the Victims of Trafficking (30, 32, 33)
Prohibition of Child Trafficking	Yes		Articles 171 and 231 of the Criminal Code; Law on the Prevention and Elimination of Human Trafficking and Protection of the Victims of Trafficking (32, 33)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 231, 237–238, and 241–242 of the Criminal Code (32)
Prohibition of Using Children in Illicit Activities	No		Articles 273–282 of the Criminal Code (32)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 13 of the Law on the Kosovo Security Force (34)
Non-state Compulsory	No		Article 153 of the Criminal Code (32)
Compulsory Education Age	Yes	15 [‡]	Article 9 of the Law on Pre-University Education (35)
Free Public Education	Yes		Article 9 of the Law on Pre-University Education (35)

* No conscription (34)

‡ Age calculated based on available information (35)

The Government approved a draft Law on Child Protection and it was submitted to a standing committee for further action.(36) The draft law would criminalize violence, abuse, exploitation, and neglect of children, including child beggars, and would prohibit the use of children in illicit activities.(5, 36)

The Criminal Code does not specifically prohibit recruitment of children ages 16 and 17 by non-state armed groups.(32)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Welfare (MLSW) Labor Inspectorate (LI)	Conduct inspections to enforce child labor laws and refer all cases of children involved in hazardous work to the MLSW Regional Centers for Social Work (Social Work Centers (SWCs)). Through regional SWCs address child labor, provide social services, and compile cases into a nationwide database.(3) Through the Department of Social Welfare, remove children engaged in hazardous child labor.(13)
Kosovo Police (KP)	Enforce criminal laws on forced child labor and commercial sexual exploitation of children. Through the Directorate of Trafficking in Human Beings, enforce laws on child trafficking.(3, 37) Operate under the Ministry of Internal Affairs (MOIA).(4)
Ministry of Justice	Enforce criminal laws on forced child labor, child trafficking, and commercial sexual exploitation of children.(37)
Ministry of Education, Science, and Technology	Conduct education inspections on students' balance of school and work hours.(38)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Kosovo took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$612,632 (3)	\$633,002 (4)
Number of Labor Inspectors	51 (3)	51 (4)
Inspectorate Authorized to Assess Penalties	Yes (3)	Yes (4)
Training for Labor Inspectors		
Initial Training for New Employees	No (3)	N/A (4)
Training on New Laws Related to Child Labor	N/A	N/A (4)
Refresher Courses Provided	No (3)	No (4)
Number of Labor Inspections	9,505 (3)	6,716 (4)
Number Conducted at Worksite	9,505 (3)	6,716 (4)
Number Conducted by Desk Reviews	N/A	0 (4)
Number of Child Labor Violations Found	15 (19)	0 (4)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	0 (4)
Number of Penalties Imposed that Were Collected	N/A	0 (4)
Routine Inspections Conducted	Yes (3)	Yes (4)
Routine Inspections Targeted	Yes (3)	Yes (26)
Unannounced Inspections Permitted	Yes (3)	Yes (4)
Unannounced Inspections Conducted	Yes (3)	Yes (4)
Complaint Mechanism Exists	Yes (3)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (4)

In 2016, Social Work Centers (SWCs) reported 61 cases of children working on the street and 53 children were taken off the streets, offered healthcare services, and returned to their families.⁽⁴⁾ In total, 18 children were referred to SWCs, of which 13 were victims of commercial sexual exploitation, 3 were in forced begging, and 2 were victims of forced labor in restaurants.⁽⁴⁾

Despite repeated requests by the Labor Inspectorate (LI) to increase personnel, the number of labor inspectors has remained the same since its inception in 2002.⁽⁴⁾ Although there was an increase in funding in 2016, the LI noted that it lacked institutional capacity and financial and material resources to address child labor, in both the formal and informal sectors, and was unable to expand unannounced inspections.⁽⁴⁾ The lack of child labor violations detected by the LI in 2016 is likely related to these gaps in institutional capacity.

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Kosovo took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	N/A (26)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (3)	Yes (4)
Number of Investigations	Unknown* (3)	18 (4)
Number of Violations Found	21 (3)	13 (4)
Number of Prosecutions Initiated	Unknown* (3)	Unknown (4)
Number of Convictions	Unknown* (3)	Unknown (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (4)

* The Government does not publish this information.

The Kosovo Police (KP) includes 55 human trafficking investigators, 4 which are dedicated to child trafficking. In 2016, 14 investigators were trained on child abuse, investigative skills, and international legislation on child exploitation.(4, 19) The Government also organized roundtables on human trafficking, including child begging, to create greater awareness and prevention.(5) However, legal training on human trafficking for prosecutors and judges was insufficient, causing ineffective prosecutions and incorrect legal application.(4, 5, 39) In addition, better supervision of trafficking in persons (TIP) cases and specialization of prosecutors and judges is needed in order to reduce case backlog.(5)

While there was proactive screening of populations vulnerable to trafficking, a source noted that foreign forced beggars were not properly screened by the SWCs and police.(5, 18, 26) In some cases, victims were repatriated to their country of origin without referral to SWCs or police in those countries; the lack of coordination resulted in forced beggars being forcibly returned to Kosovo to beg again.(26) The KP do not systematically track whether children involved in child labor are referred to providers of social services as a result of investigations.(26, 37)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Committee for Prevention and Elimination of Child Labor (KKPEPF)	Coordinate government policies to combat child labor, oversee and provide policy guidance for activities to prevent and eliminate child labor. Comprises representatives of government agencies, the KP, trade unions, and an NGO.(13) In 2016, met to discuss a new National Strategy and Action Plan for the Prevention and Elimination of Child Labor for 2017.(40) During the reporting period, the Government reauthorized the KKPEPF to monitor child labor issues.(4, 41)
Child Labor Monitoring System (CLMS)	Address child labor at the municipal level, identify and provide child services, document child labor trends, and evaluate local responses to child labor.(3)
National Agency Against Trafficking in Persons (NAATIP)	Coordinate policy implementation, monitor and report on actions to combat child trafficking through a National Anti-Trafficking Coordinator.(2, 42, 43) Chaired by MOIA. Includes representatives from the Government, NGOs, and international community.(4) In 2016, discussed anti-TIP initiatives and coordination in monthly meetings.(5)
Municipal Local Action Committees	Prevent and eliminate child labor and report to the CLMS. Members include school representatives, municipal education departments, and the KP.(13, 25)

In late 2013, the Ministry of Labor and Social Welfare (MLSW) began using new software to collect and process data on labor violations, and to make these data available to all ministries and law enforcement bodies.(3) During the reporting period, however, the Child Labor Monitoring System continued to lack quality data analysis and there was unsatisfactory data sharing between municipal authorities and the MLSW.(4, 43)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Strategy and Action Plan for the Prevention and Elimination of Child Labor (2011–2016)	Aims to eliminate the worst forms of child labor in Kosovo, with a focus on prevention and withdrawal of children from the worst forms of child labor, protection of young workers, and gender concerns.(44) The Government did not increase funding for activities in 2016.(4, 26)
National Strategy and Action Plan Against Trafficking in Persons (2015–2019)	Aims to prevent and combat human trafficking by awareness-raising, victim identification, and strengthening criminal law enforcement.(45, 46) In 2016, monitored policies, referral mechanisms, and assistance to victims.(5)
Strategy for the Inclusion of Roma, Ashkali, and Egyptian Communities (2016–2020)†	Focuses on inclusive education, employment, social issues, healthcare, and housing for Ashkali, Egyptian, and Roma communities. Aims to strengthen rights and full integration into society.(47)

† Policy was approved during the reporting period.

During the reporting period, the 2017–2021 Strategic Development Plan was approved, which includes early TIP identification for labor inspectors. The Government also drafted a list of TIP indicators for victim identification to ensure adequate referral to support services.(5) The Government has not included child labor elimination and prevention strategies into the Strategy for the Inclusion of Roma, Ashkali, and Egyptian Communities. In addition, the Government did not provide sufficient funds for social services for victims of child labor in the National Strategy and Action Plan for the Prevention and Elimination of Child Labor in 2016.(26)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor†

Program	Description
Kosovo Shelter Coalition and Hope and Homes for Children†	MLSW-funded coalition of NGOs that provide shelter to victims of human trafficking, domestic violence, and at-risk youth.(20) Continued to operate in 2016, but funding was insufficient.(4, 5)
Social Inclusion and Improvement of Living Conditions for Roma, Ashkali, and Egyptians, and Other Vulnerable Groups (2013–2016)†	Government and foreign donor-funded project implemented by Terre des Hommes.(48) Focused on improving the lives of minority communities through advocacy, housing, education, and employment. Based on the Government’s Strategy for the Integration of Ashkali, Egyptian, and Roma communities.(48) In 2016, the project was active and started a new phase.(4)
UN Common Development Plan (2016–2020)*	Funded and programmed by UN Kosovo Team. Focuses on international standards and human rights safeguards of migrants and the social protection and educational inclusion of Roma, Ashkali, and Egyptian communities.(49)

* Program was launched during the reporting period.

† Program is funded by the Government of Kosovo.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(4, 5, 18, 50)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Kosovo (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the draft Law on Child Protection is passed in order to prohibit the use of children in all illicit activities, including using, procuring, and offering of children for the production and trafficking of drugs.	2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
Enforcement	Provide refresher courses to labor inspectors on laws related to child labor.	2009 – 2016
	Increase the Labor Inspectorate’s budget, number of personnel, and access to needed resources to facilitate effective targeting and investigating cases of child labor, including ensuring that unannounced inspections are conducted in all relevant sectors.	2009 – 2016
	Improve the collection, publication, and interagency sharing of data to appropriate services on the results of investigations related to criminal violations of child labor laws, including the number of related prosecutions initiated, the number of convictions, and the referral of children found in child labor.	2009 – 2016
	Ensure that the penalties in the legal framework regulating the crime of human trafficking are correctly applied, including by providing training and supervision to prosecutors and judges on the legal framework for human trafficking cases.	2012 – 2016
	Properly screen all child victims of human trafficking, especially child beggars.	2016
Coordination	Improve capacity of the Child Labor Monitoring System to better analyze data on child labor and improve data sharing between municipal authorities and the MLSW.	2013 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Government Policies	Integrate child labor elimination and prevention strategies into the Strategy for the Inclusion of Roma, Ashkali, and Egyptian Communities.	2016
	Provide sufficient funding for the National Strategy and Action Plan for the Prevention and Elimination of Child Labor so that victims of child labor receive enough social services.	2016
Social Programs	Make additional efforts to register Ashkali, Egyptian, and Roma community children at birth.	2011 – 2016
	Fully fund shelters that house child victims of trafficking.	2016

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Kyrgyz Republic

MODERATE ADVANCEMENT

In 2016, the Kyrgyz Republic made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted the Interagency Action Plan on Measures to Prevent the Involvement of Children in the Worst Forms of Child Labor. The Bishkek Mayor's Office also began funding evening remedial classes for thousands of child laborers. However, children in the Kyrgyz Republic engage in the worst forms of child labor, including in commercial sexual exploitation and illicit activities. Research indicates that the State Inspectorate on Ecological and Technical Safety did not conduct inspections to ensure compliance with legal minimum age protections. The compulsory education age also remained lower than the minimum age to work.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Kyrgyz Republic engage in the worst forms of child labor, including in commercial sexual exploitation and illicit activities.(1-6) Table 1 provides key indicators on children's work and education in the Kyrgyz Republic.

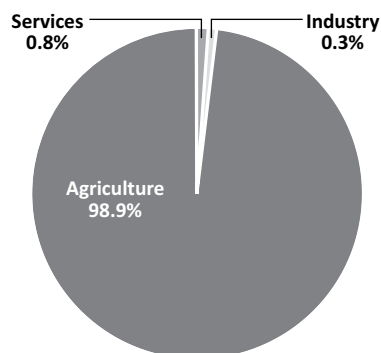
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	33.9 (397,407)
Attending School (%)	5 to 14	86.5
Combining Work and School (%)	7 to 14	41.0
Primary Completion Rate (%)		105.0

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from National Child Labor Survey, 2014.(8)

Figure 1. Working Children by Sector, Ages 10-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Cultivating cotton, tobacco, [†] rice, potatoes, sugar beets, and wheat (4, 9-16)
	Raising cattle and sheep (4, 12-14, 16)
Industry	Coal mining [†] (4, 13-15, 17)
	Brick making (4, 13, 14, 16)
	Construction, including lifting and portering construction materials, and cutting metal sheets for roofs (4, 14, 16, 17)
Services	Working in bazaars, including loading and unloading goods, portering, collecting plastic bottles and garbage, and selling items, including food and newspapers (1, 3, 9, 11, 15, 16, 18-21)
	Washing cars (1, 11, 16)
	Working in restaurants and cafes, including serving food and washing dishes (9, 13, 16, 22)
	Street work, including begging and shoe shining (1, 2, 13)
	Domestic work, including child care (2, 3, 10, 15)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Forced labor in raising cattle and sheep, sometimes as a result of human trafficking (4, 15)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1-5)
	Use in illicit activities, including trafficking drugs as a result of human trafficking (5, 6)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.




‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Hazardous child labor is most prevalent in the *oblasts* (provinces) of Naryn and Osh.(17) There is limited evidence that some children migrate with their families to work in the cotton fields in Kazakhstan.(23) Some parents migrate to work in Kazakhstan, Russia, or other areas of the country and leave their children behind, oftentimes without birth certificates and guardianship documents. As a result, some of these children cannot enroll in school and are vulnerable to the worst forms of child labor.(9, 13, 18, 24) While the number of ethnic Lyuli, a subgroup of the Roma people living in Central Asia in the Kyrgyz Republic is low (approximately 3,500), many children from this community do not attend school and are vulnerable to child labor.(6, 18, 25) Children with disabilities and those living and working on the street also have difficulty accessing education.(4, 18, 20) Schools requiring residence registration, known as *propiska*, for enrollment may also hinder access to education; however, according to the Ministry of Education and Science, residence registration is not mandatory.(3, 4, 10)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Kyrgyz Republic has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in the Kyrgyz Republic’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	16	Article 18 of the Labor Code (26)
Minimum Age for Hazardous Work	Yes	18	Article 294 of the Labor Code; Article 15 of the Code on Children (26, 27)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 294 of the Labor Code; Decree 314; Annex I of Decree 548 (26, 28, 29)
Prohibition of Forced Labor	Yes		Article 10 of the Labor Code; Article 15.2 of the Code on Children; Article 1 of the Law on Preventing and Combating Human Trafficking; Article 124 of the Criminal Code (26, 27, 30, 31)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Child Trafficking	No		Article 1 of the Law on Preventing and Combating Human Trafficking; Article 124 of the Criminal Code (30, 31)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 157 of the Criminal Code; Articles 5 and 15 of the Code on Children (27, 30)
Prohibition of Using Children in Illicit Activities	Yes		Articles 157, 247, 249, and 375 of the Criminal Code; Articles 5 and 15 of the Code on Children (27, 30)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Articles 17.1 and 22.1 of the Law on Military Service (32)
State Voluntary	Yes	18	Article 24.1 of the Law on Military Service (32)
Non-State Compulsory	Yes	18	Articles 124, 226-2, 229, and 375 of the Criminal Code (30)
Compulsory Education Age	No	15 [‡]	Article 16 of the Law on Education (33)
Free Public Education	Yes		Article 16 of the Law on Education (33)

‡ Age calculated based on available information

According to Article 6 of the Labor Code, protections, such as the minimum age of employment and prohibitions on hazardous work, are not extended to children engaged in non-contractual employment.(26) Most incidences of child labor occur in employment relationships in which the child has no signed employment contract with the employer.(9, 12)

Although the Kyrgyz Republic has ratified the Palermo Protocol, which necessitates waiving requirements related to the use of force, deception, or fraud for child victims of human trafficking, both the Law on Preventing and Combating Human Trafficking and the Criminal Code require these elements during the human trafficking process.(30, 31) The Government drafted a revised list of hazardous work for children in 2011, which remained under review.(16, 34)

Children in the Kyrgyz Republic are required to attend school only until grade nine, which is typically until they reach age 14 or 15.(9, 10, 35) This standard makes children ages 14 and 15 vulnerable to child labor because they are not required to be in school, but they also are not yet legally permitted to work.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
State Inspectorate on Ecological and Technical Safety	Monitor work sites and refer child laborers to social services. Coordinate with the Inspectorate for Minors' Affairs in the Ministry of Internal Affairs, the Prosecutor General's Office, and regional State District Administration authorities to enforce child labor laws.(36)
Ministry of Internal Affairs, Inspectorate for Minors' Affairs	Enforce criminal laws related to child labor, including its worst forms; conduct independent inspections and joint raids with the State Inspectorate on Ecological and Technical Safety to find neglected or abused children; and refer children to social institutions for care.(36)
Prosecutor General's Office	Enforce and apply labor-related laws, including labor inspections and investigations of child labor violations, in coordination with the State Inspectorate on Ecological and Technical Safety.(36, 37)
<i>Oblast</i> Administration	Enforce child labor laws at the <i>oblast</i> level.(36)
Ministry of Labor and Social Development	Serve as the key government agency for children's issues. Charged with protecting children and families in difficult conditions, including child laborers.(6) Coordinate with <i>oblast</i> -level authorities to investigate violations of child labor laws.(38)

Labor Law Enforcement

In 2016, labor law enforcement agencies in the Kyrgyz Republic took actions to combat the worst forms of child labor.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	23 (20)	23 (16)
Inspectorate Authorized to Assess Penalties	Yes (20)	Yes (16)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (34)	No (16)
Number of Labor Inspections	Unknown (25)	Unknown (16)
Number Conducted at Worksite	Unknown (25)	Unknown (16)
Number Conducted by Desk Reviews	Unknown (25)	Unknown (16)
Number of Child Labor Violations Found	Unknown (25)	31 (39)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (25)	Unknown (16)
Number of Penalties Imposed that Were Collected	Unknown (25)	Unknown (16)
Routine Inspections Conducted	Unknown (25)	Unknown (16)
Routine Inspections Targeted	Unknown (25)	Unknown (16)
Unannounced Inspections Permitted	No (20)	No (16)
Unannounced Inspections Conducted	N/A	N/A
Complaint Mechanism Exists	Yes (20)	Yes (16)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (40)	Yes (16)

The number of labor inspectors is insufficient for the size of the Kyrgyz Republic's workforce, which includes over 2.7 million workers.⁽⁴¹⁾ According to the ILO's recommendation of 1 inspector for every 20,000 workers in transitioning economies, the Kyrgyz Republic should employ roughly 132 labor inspectors.^(20, 42, 43) The State Inspectorate on Ecological and Technical Safety acknowledged that the number of labor inspectors was inadequate to ensure appropriate enforcement of child labor laws.⁽²⁰⁾

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in the Kyrgyz Republic took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown (16)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	N/A
Refresher Courses Provided	Unknown	No (16)
Number of Investigations	0 (34)	2 (39)
Number of Violations Found	0 (34)	2 (39)
Number of Prosecutions Initiated	N/A (34)	2 (39)
Number of Convictions	N/A (34)	0 (16)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (40)	Yes (16)

Kyrgyz Republic

MODERATE ADVANCEMENT

The UN special rapporteur on the sale of children, child sex trafficking, and child pornography documented allegations of law enforcement officials' complicity in human trafficking in a 2013 report; police officers allegedly threatened, extorted, and raped child sex trafficking victims. However, the government has never investigated the allegations from this report, nor did it report the investigation, prosecution, or convictions of government employees complicit in human trafficking offenses.(44)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Coordination Council for Social Protection and Children's Rights	Develop policies to eliminate child labor.(34) Chaired by the Deputy Prime Minister, members include representatives from four ministries, including Labor and Social Development.(45, 46) Met quarterly in 2016.(16)
Coordination Council on Migration*	Monitor and combat trafficking in persons as a key priority. Chaired by the Deputy Prime Minister for Social Issues, members include representatives from the Office of the President, Government ministries, international organizations, and NGOs.(47) Met three times in 2016, with one session devoted to human trafficking, aimed at improving Government coordination on this issue.(47)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[†]

Policy	Description
Interagency Action Plan on Measures to Prevent the Involvement of Children in the Worst Forms of Child Labor (2016–2018) [†]	Aims to address the worst forms of child labor by identifying children at risk of child labor, including those in difficult living conditions; providing social services; conducting awareness-raising campaigns, including seminars for social pedagogues and forums for children and their parents on hazardous work; sharing experiences and best practices with international organizations and NGOs; and creating a manual on child protection for labor inspectors.(16, 48)
Regulations on the Procedure for the Identification of Children and Families in Difficult Conditions	Establishes the process for identifying children in difficult living conditions, including those engaged in the worst forms of child labor. Receives complaints, conducts outreach activities, devises an individual action plan, removes the child from the worst forms of child labor, and provides financial and educational services.(40) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
National Program Against Human Trafficking and Action Plan for the Implementation of the Program (2013–2016)	Aims to provide protection to children at risk of becoming victims of labor, criminal, or commercial sexual exploitation.(36) Was not implemented during 2016.(5)

[†] Policy was approved during the reporting period.

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(36)

The Government has not included child labor elimination and prevention strategies in the National Education Strategy and Roadmap on Out-of-School Children.(35, 49)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
Combating Child Labor in Central Asia -Commitment Becomes Action (PROACT CAR Phase III) (2010–2018)	\$4.57 million Government of Germany-funded project implemented by the ILO to mainstream child labor issues into national policies and legislation, build the capacity of stakeholders, and provide direct services to children withdrawn from the worst forms of child labor.(49, 50) In 2016, supported the adoption of the Interagency Action Plan on Measures to Prevent the Involvement of Children in the Worst Forms of Child Labor and the integration of child labor issues into other policies.(51)
Evening Classes for Child Laborers [‡]	ILO and Ministry of Education and Science project to provide evening classes to secondary school students in districts with high numbers of child laborers. Includes weekly or biweekly family consultations with social workers who observe the children and provide parents with information about hazardous work activities for children.(52) Although the ILO stopped funding the classes in Bishkek and Osh in 2016, Bishkek's Mayor's Office provided funding for the schools in Bishkek, while evening classes in Osh were on hold.(16) In Bishkek, one school began offering remedial classes to thousands of child laborers.(53)
Social Support for Children and Families in Difficult Living Conditions [†]	Government-funded program to monitor places where children may be working, with a primary focus on bazaars, and to return these children to school.(38) Research did not find information about the number of children assisted in 2016.
Cash Transfer Program [†]	Cash transfer program for families living in difficult conditions, including families with children engaged in child labor.(34) Research did not find information about the number of children assisted in 2016.(16)
Ministry of Education and Science National School Attendance Database [†]	Ministry of Education and Science project to pilot national electronic database to track children who do not attend school. Following development and use throughout the country, database information will be shared with the Ministry of Labor and Social Development to assist children engaged in child labor.(10) Will provide information to the Ministry of Internal Affairs on cases of criminal violations of child labor laws. In addition, social pedagogues will also work with families to ensure that children attend school.(10) In 2016, the pilot Database in Bishkek was no longer operational, partially due to pending changes to the definition of out-of-school children.(39)
Awareness-Raising Campaign [†]	Joint campaign of the Ministry of Labor and Social Development and the Ministry of Education and Science to raise awareness on child labor, called "No to child labor, Yes to quality of education." Consisted of roundtables in 2016.(16)

[†] Program is funded by the Government of the Kyrgyz Republic.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(25, 53)

Although the Kyrgyz Republic has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly in cultivating cotton and selling items in bazaars.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in the Kyrgyz Republic (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law's minimum age provisions and hazardous work prohibitions apply to all children, including those working without a signed employment contract.	2014 – 2016
	Ensure that child trafficking laws do not require an element of force or deception and are in accordance with international standards.	2015 – 2016
	Increase the age for compulsory schooling to 16, the minimum age to work.	2014 – 2016
Enforcement	Publish information about the funding of the State Inspectorate; the training system for labor inspectors and criminal investigators; the number of labor inspections, including those conducted at worksites or by desk review; the number of penalties imposed and collected; and information about whether inspections are routine or targeted.	2011 – 2016
	Strengthen the labor inspection system by permitting and conducting unannounced inspections.	2014 – 2016
	Increase the number of labor inspectors to meet the ILO recommendation and provide inspectors with adequate training and resources to conduct inspections.	2012 – 2016
	Ensure that criminal law enforcement agencies investigate and prosecute violations related to the worst forms of child labor.	2015 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Government Policies	Implement the Regulations on the Procedure for the Identification of Children and Families in Difficult Conditions.	2016
	Integrate child labor elimination and prevention strategies into the National Education Strategy and the Roadmap on Out-of-School Children.	2015 – 2016
Social Programs	Ensure that all children have access to free education, including children with disabilities, those living and working on the street, and those without birth certificates.	2009 – 2016
	Implement all social programs, including the School Attendance Database and programs for families living in difficult conditions.	2016
	Expand existing programs to address the scope of the child labor problem, particularly in cultivating cotton and selling items in bazaars.	2014 – 2016

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In 2016, Lebanon made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor released a guide for implementing Decree No. 8987 on hazardous work. The National Steering Committee on Child Labor developed a National Awareness Raising Strategy to increase public awareness and help enforce the hazardous work decree. In addition, the Ministry of Education and Higher Education launched a program to further expand children's access to education. However, children in Lebanon engage in the worst forms of child labor, including in forced labor in agriculture and commercial sexual exploitation. Labor law enforcement needs further improvement, particularly an increase in resources for personnel and transportation to conduct labor inspections. Programs and services to address the extent of child labor, specifically domestic service and commercial sexual exploitation, remained insufficient.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Lebanon engage in the worst forms of child labor, including in the forced labor in agriculture and commercial sexual exploitation.(1-5) Table 1 provides key indicators on children's work and education in Lebanon. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		71.9

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(6)
Data were unavailable from Understanding Children's Work Project's analysis, 2016.(7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including picking potatoes, cucumbers, almonds, plums, olives, citrus fruit, beans, figs, and grapes (1, 8-13)
	Production of tobacco† (8, 14-17)
	Fishing, activities unknown (4, 18)
Industry	Construction,† including carpentry and welding† (4, 8, 12, 16, 18-20)
	Working in cement factories† (19, 21)
	Painting furniture† and making handicrafts, including soap, souvenirs, and fishing nets (4, 8, 18)
	Working in textile factories (22, 23)
Services	Street work,† including begging, street vending, portering, washing cars, scavenging garbage,† and shining shoes (1, 8, 9, 12, 18, 24, 25)
	Maintenance and repair of motor vehicles,† including painting† (8, 12, 18, 23, 26)
	Domestic work† (8, 12, 27, 28)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Services	Cleaning sewage† (1, 4)
	Food service† (4, 12, 17, 24)
	Working in cemeteries, including covering bodies in shrouds, cleaning graves, and assisting with rituals (29, 30)
	Cleaning marketplaces (1, 16, 18)
	Working in slaughterhouses† and butcheries (4, 15, 18)
	Working in small shops (4, 18, 24)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including drug trafficking, sometimes as a result of human trafficking, and arms dealing (3, 4, 20, 25, 30-32)
	Forced begging, sometimes as a result of human trafficking (3, 32, 33)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1-4, 23, 31, 34)
	Forced labor in agriculture, sometimes as a result of human trafficking (3-5, 27, 32)
	Forced recruitment of children by non-state armed groups for use in armed conflict (4, 35)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Child labor has increased, and its conditions have worsened since the influx of Syrian refugees into Lebanon, affecting Lebanese and Syrian children.(4, 36, 37) As of December 2016, over one million Syrian refugees in Lebanon were registered with UNHCR, and more than half of them were children.(38) Child labor is also prevalent in other refugee communities in Lebanon, including the Palestinian and Iraqi communities.(39)

Some children are subjected to forced begging and commercial sexual exploitation, sometimes as a result of human trafficking.(3) In particular, Syrian girls are trafficked into Lebanon for commercial sexual exploitation under the guise of marriage.(3, 20) Some boys are also subject to commercial sexual exploitation, particularly Kurdish boys from Syria.(20) Working on the streets is especially common among refugee children from Syria, including Palestinians from Syria.(25) Syrian children are also subjected to forced labor in agriculture.(3-5, 39) Some Syrian refugee children, with their families, are kept in bonded labor in agriculture in the Bekaa Valley to pay for makeshift dwellings provided by landowners.(4, 5, 32, 36)

UNICEF reported that Lebanese children were involved in armed violence within Lebanon, while some Syrian refugee children joined armed groups and left for Syria to engage in armed conflict.(4)

The Government has waived fees for public primary schools and opened second shifts in about 240 schools.(16) Yet, the public school system in Lebanon lacks the capacity to accommodate the large number of school-age Syrian refugee children.(40) Approximately 250,000 Syrian refugee children in Lebanon, half of the school-age population in this group, are out of school.(16) Barriers to accessing education for Lebanese children include the cost of transportation and supplies.(4) Syrian children face additional barriers, including bullying, corporal punishment, different curriculum in Lebanon than in their country of origin, use of schools by armed groups or as shelters, and fear of passing checkpoints or of violence.(16, 17, 41-44) Likewise, Iraqi refugee children may not be enrolled in school due to school-related costs and discrimination.(45) In Lebanon, many classes are taught in French or English, but Syrian and Iraqi children do not speak these languages.(42, 45) Children who work in agriculture, including Lebanese children, often do not attend school during harvesting and planting seasons.(46, 47)




II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Lebanon has ratified most key international conventions concerning child labor (Table 3).

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Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Lebanon's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Article 22 of the Labor Code (48)
Minimum Age for Hazardous Work	Yes	18	Article 1 of Decree No. 8987 (49)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Annex 1 of Decree No. 8987 (49)
Prohibition of Forced Labor	No		Article 8.3(a) of Decree No. 3855; Articles 586.1, 586.5, and 569 of the Penal Code (50, 51)
Prohibition of Child Trafficking	Yes		Articles 586.1 and 586.5 of the Penal Code (50)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 507-510, 523-527, 586.1 and 586.5 of the Penal Code (50)
Prohibition of Using Children in Illicit Activities	Yes		Articles 586.1, 586.5, and 618 of the Penal Code (50)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 30 of the National Defense Law (52)
Non-state Compulsory	Yes	18	Articles 586.1 of the Penal Code; Annex 1 of Decree No. 8987 (49, 50)
Compulsory Education Age	Yes	15 [‡]	Article 49 of the Education Law (53)
Free Public Education	Yes		Article 49 of the Education Law (53)

* No conscription (54)

‡ Age calculated based on available information (39)

Laws related to forced labor are not sufficient because it is not clear that there are criminal penalties for the exaction of forced labor and debt bondage is not criminally prohibited.(50, 55, 56) Government officials clarified that although Article 610 of the Penal Code criminalizes begging, Article 26 of the Delinquent Juveniles Law, which takes precedence over the Penal Code, stipulates that in cases of begging, the child is considered in danger and entitled to receive protective measures.(50, 57, 58) Yet, children engaged in begging have been arrested in a limited number of cases.(25)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor	Enforce child labor laws through desk review and workplace inspections. Maintain a hotline to receive complaints of child labor. Act as government focal point for child labor issues and host the National Steering Committee on Child Labor.(39, 58, 59)
Internal Security Forces	Enforce laws regarding the worst forms of child labor through the Anti-Human Trafficking and Morals Protection Bureau.(39)
Ministry of Justice	Prosecute violations of the Penal Code in coordination with the Internal Security Forces. Maintain general data and statistics on criminal violations involving the worst forms of child labor.(60) Refer at-risk children to shelters and protection services.(39) The Ministry has signed agreements with civil society organizations to provide social workers to the Ministry to oversee court proceedings involving juveniles and deliver services to them, including children engaged in begging.(39)
Ministry of Social Affairs	Refer children identified by the Internal Security Forces and the Ministry of Justice to protective institutions, such as health centers. Refer children to shelters through its Higher Council for Childhood.(39)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Lebanon took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	Unknown (39)	45 (36)
Inspectorate Authorized to Assess Penalties	No (61)	No (61)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (39)	Unknown
Number of Labor Inspections	Unknown	Unknown
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	Unknown	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown
Number of Penalties Imposed that Were Collected	Unknown	Unknown
Routine Inspections Conducted	Unknown	Unknown
Routine Inspections Targeted	Unknown	Unknown
Unannounced Inspections Permitted	Yes (62)	Yes (4)
Unannounced Inspections Conducted	Unknown	Unknown
Complaint Mechanism Exists	Yes (39)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Yes (4)

In 2016, inadequate resources, including necessary transportation and the number of personnel, hamper the Ministry's capacity to enforce child labor laws.(4, 59) Inspections of child labor are either a result of a complaint or response to a case that was observed in the course of other work of inspectors.(4) The number of labor inspectors is insufficient for the size of Lebanon's workforce, which includes over 1.6 million workers.(63) According to the ILO recommendation of 1 inspector for every 15,000 workers in developing economies, Lebanon should employ about 109 inspectors.(64, 65)

In 2016, the Ministry of Labor, in cooperation with the ILO, launched a Guide on Decree No. 8987 on hazardous work, to help implement the Decree by state agencies, and help private institutions, employers, and

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workers better understand hazardous work for children.(4, 37) The Government, in cooperation with the ILO, established a child labor monitoring and referral mechanism in Ouzai, the southern suburbs of Beirut, and in Kahale, Mount Lebanon. The orientation and training sessions for this mechanism were held in 2016.(4) The Government, in cooperation with NGOs and the ILO, updated an agreement with the Farmers' Union to not allow Syrian refugee children under age 16 to work in agriculture. UNICEF worked with farmers to allow children to attend school, reduce working hours, and improve working conditions.(4)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Lebanon took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (39)	Yes (4)
Number of Investigations	3 (39)	Unknown
Number of Violations Found	Unknown	10 (4)
Number of Prosecutions Initiated	Unknown	5 (4)
Number of Convictions	1 (32)	3 (66)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (39)	Yes (4)

In 2016, the Anti-Human Trafficking and Morals Protection Bureau of the Internal Security Forces employed 31 officers responsible for criminal enforcement of child labor laws. The Internal Security Forces provided specialized training for its staff on human trafficking and investigation techniques of cases involving children.(4) Five individuals were prosecuted for the use of children in illicit activities, and five children were referred to social services. Based on available information, at least some of these trials were ongoing at the end of the reporting period.(4)

Some child victims of human trafficking were subject to arrest, detention, and deportation and prosecution for crimes committed as a direct result of being trafficked.(3)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee on Child Labor	Raise awareness; coordinate efforts among Government agencies; establish standard practices; and develop, enforce, recommend changes, and ensure that Government agencies comply with the law.(39) Led by the Minister of Labor, includes representatives from six other ministries and other institutions and international organizations.(4)
National Steering Committee on Trafficking	Coordinate efforts against human trafficking, including child trafficking. Based at the Ministry of Labor and meets on a monthly basis.(58)
UNICEF and UNHCR	Coordinate efforts to address the needs of children affected by the Syrian refugee crisis in Lebanon and maintain interagency standards for child protection. The UN representatives identify crucial concerns, including factors that make children vulnerable to child labor, and make recommendations to the Government on the use of resources, including referral services.(40, 67)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
National Action Plan on the Elimination of the Worst Forms of Child Labor (2013–2019)	Establishes strategies for addressing the worst forms of child labor, including improving enforcement of child labor laws and expanding access to education. In 2016, in order to help implement the National Action Plan, the National Steering Committee on Child Labor developed the National Awareness Raising Strategy to increase public awareness, help enforce Decree No. 8987 on hazardous work, and mobilize stakeholders in the private sector and labor unions.(68) During the reporting period, the Ministry of Labor, in cooperation with UN agencies, drafted an Annex to this National Action Plan, which was extended to 2019. The Annex outlines specific needs of refugee children such as lack of legal documentation and livelihood opportunities for their parents.(4)
Work Plan to prevent and respond to the association of children with armed violence in Lebanon	Provides the framework for the prevention of children involved in armed conflict.(44) In 2016, the Higher Council for Childhood held technical meetings with representatives of the Ministry of Justice and Internal Security Forces to develop procedures for the treatment of children associated with armed conflict.(4)

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(58, 69)

In 2015, the Higher Council for Childhood, in cooperation with World Vision, finalized a sectoral action plan on child trafficking, which is still pending ministerial approval.(4)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
Tackling Child Labor among Syrian Refugees and Their Host Communities in Jordan and Lebanon (2015–2016)	EU-funded, 1.5-year project, implemented by the ILO to conduct research on the hazards of child labor in certain sectors; build the technical capacity of governments, employers, and workers' organizations to improve referrals and respond to cases of child labor; and provide training on preventing and removing children from child labor and providing services.(70) In 2016, the project worked with the Ministry of Labor and held a workshop for policy-makers to identify ways of addressing child labor in Akkar, North Governorate, particularly children working in agriculture.(71)
Program to Support Children Working on the Street (2014–2016)	Joint UNHCR and International Rescue Committee (IRC) program to identify children engaged in child labor on the street, mitigate risks by providing psychosocial support and emergency services, and track incidents of violence.(39) Between January and June 2016, the program provided 289 children with psychosocial support and basic literacy classes; 59 children were enrolled in second shift schools, and 68 were approved to enter in the Accelerated Learning Program.(4) UNHCR helped in capacity-building of 300 officials of the Directorate of General Security and Lebanese Armed Forces on child protection and vulnerabilities of street children. UNHCR and the IRC also provided training to NGO social workers on the basics of the Lebanese child labor laws.(4)
Child Protection Program	Joint program by UNICEF and the Ministry of Social Affairs. Addresses the worst forms of child labor through interventions, including psychological counseling, raising awareness among employers, and working with employers to decrease working hours for children and to improve working conditions.(27) In 2016, UNICEF and the Ministry collaborated to raise awareness on child labor and its prevention among more than 37,000 children and 42,000 parents and community members. UNICEF also produced storybooks on risks of child labor in agriculture and street work.(4)
USDOL-funded projects for capacity building and research	USDOL projects that aim to build capacity of government law enforcement officials, improve policy implementation, and improve the evidence base on child labor. These projects include the Global Action Program on Child Labor Issues (GAP 11) , implemented by the ILO in approximately 40 countries, and the Country Level Engagement and Assistance to Reduce Child Labor (CLEAR) capacity-building project implemented by the ILO in at least 11 countries.(72, 73) For additional information, please visit our Web site .

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Table 10. Key Social Programs to Address Child Labor[†] (cont)

Program	Description
Reaching All Children through Education (RACE II) (2017–2021)*	Funded by foreign donors and international NGOs, the Ministry of Education and Higher Education enrolled more than 400,000 Lebanese and refugee children in school during the 2015–2016 academic year.(4) In 2016, The Ministry launched RACE II, in cooperation with UN agencies and other institutions, to expand free access to education for all children in Lebanon ages 3-18. The Ministry and funders will cover the cost of registration, stationary supplies, and books.(74) RACE II aims to register 469,000 children in formal and non-formal education by 2022. For the academic year 2016–2017, 300 schools offered a second shift for non-Lebanese children.(74, 75) The Ministry is developing a policy to allow children who have been outside the formal education system for several years to catch up and reintegrate into formal education, building on the Accelerated Learning Program, piloted in 2015, for basic education (up to grade nine). The Government announced in 2016 that all children would be allowed to take their exams at the end of grade nine to continue on to secondary schools, even if they lack all necessary documentation.(75) Other non-formal education programs include Basic Literacy and Numeracy training and vocational training.(4)
National Poverty Alleviation Program [†]	Funded by the Government and foreign donors, this Ministry of Social Affairs program pays school tuition and book costs for 74,000 families living in extreme poverty.(39)

* Program was launched during the reporting period.

[†] Program is funded by the Government of Lebanon.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(39, 76, 77)

The scarcity of shelters for child-trafficking victims results in some children being placed in juvenile detention centers.(47) The lack of shelters and resources to effectively handle child labor and trafficking cases puts children at a heightened risk of further exploitation.(32) Although Lebanon has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, including child labor for domestic work and commercial sexual exploitation.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Lebanon (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede to the CRC Optional Protocol on Armed Conflict, which the Government signed in 2002.	2013 – 2016
	Ensure that exaction of forced labor and debt bondage are criminally prohibited.	2015 – 2016
Enforcement	Track and publish information on the funding for the labor inspectorate and labor inspector’s training system; the number of labor inspections, including those conducted at worksites and through desk reviews; the number of violations found and the penalties imposed and collected; and whether routine, targeted, and unannounced inspections were conducted.	2009 – 2016
	Authorize the labor inspectorate to assess penalties.	2015 – 2016
	Ensure proper funding for Ministry of Labor inspectors and necessary transportation.	2011 – 2016
	Increase the number of labor inspectors to meet the ILO recommendation.	2016
	Publish information on the training system for criminal investigators and the number of investigations and convictions.	2009 – 2016
	Ensure that child victims of human trafficking and children engaged in begging are treated under the law as victims, rather than as criminals.	2011 – 2016
	Social Programs	Build on current efforts to improve access to public education for all children.
Social Programs	Increase the number of shelters for child victims of human trafficking and other worst forms of child labor.	2013 – 2016
	Institute programs to address child labor domestic service and commercial sexual exploitation.	2013 – 2016

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Lesotho

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In 2016, Lesotho made a minimal advancement in efforts to eliminate the worst forms of child labor. The Multi-Sectoral Committee on Combating Trafficking in Persons developed draft victim identification and referral guidelines, drafted standard operating procedures for the guidelines, and built a shelter for victims of human trafficking. However, children in Lesotho continue to engage in the worst forms of child labor, including in herding cattle and commercial sexual exploitation, sometimes as a result of human trafficking. Lesotho's compulsory education age is below the minimum age for work, leaving children between these ages vulnerable to the worst forms of child labor. The Government also lacks resources for labor law enforcement and social programs to combat child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Lesotho engage in the worst forms of child labor, including in herding cattle and commercial sexual exploitation, sometimes as a result of human trafficking.(1-3) Table 1 provides key indicators on children's work and education in Lesotho.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	28.1 (124,632)
Attending School (%)	5 to 14	80.7
Combining Work and School (%)	7 to 14	25.3
Primary Completion Rate (%)		76.8

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 2, 2000.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Herding animals, including cattle [†] (1, 6, 7)
	Farming, including planting, applying pesticides, and harvesting (8, 9)
Services	Domestic work (1, 7, 10)
	Street work, including vending, and trading (11)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 2)
	Use in illicit activities, including burglary and theft (11)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.




[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

UNDP reported in 2015 that Lesotho's HIV rate in adults (ages 15–24) is 25 percent. Many children in Lesotho become orphans due to the high rate of HIV among adults.(7, 8, 12-15) Children, mostly HIV orphans driven by poverty, migrate from rural to urban areas to engage in commercial sexual exploitation for survival.(8, 16, 17) In addition, children with disabilities are vulnerable to the worst forms of child labor as they encounter difficulties accessing education due to ill-equipped educational facilities and untrained teachers.(18, 19)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Lesotho has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Lesotho's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 124(1) of the Labour Code (1992); Article 228(1) of the Children's Protection and Welfare Act (20)
Minimum Age for Hazardous Work	Yes	18	Article 125(1) of the Labour Code; Article 230(1) of the Children's Protection and Welfare Act (20)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 230(3) and 231 of the Children's Protection and Welfare Act (20)
Prohibition of Forced Labor	Yes		Article 9(2) of the Constitution; Article 7(1) of the Labour Code; Article 5 of the Anti-Trafficking in Persons Act (21-23)
Prohibition of Child Trafficking	Yes		Article 5 of the Anti-Trafficking in Persons Act (23)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 77 of the Children's Protection and Welfare Act; Articles 10–14 of the Sexual Offenses Act (24)
Prohibition of Using Children in Illicit Activities	Yes		Article 45(b) of the Children's Protection and Welfare Act (20, 25)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		Article 22(o) of the Children's Protection and Welfare Act (20)
State Voluntary	Yes	18	Section 26 of the Lesotho Defence Force Act (26)
Non-state Compulsory	Yes	18	Article 22(o) of the Children's Protection and Welfare Act (20)
Compulsory Education Age	Yes	13 [‡]	Article 3 of the Education Act (9, 27)
Free Public Education	Yes		Article 3 of the Education Act; Article 22(k) of the Children's Protection and Welfare Act (20)

* No conscription (20, 28)

‡ Age calculated based on available information (9, 27)

Education is compulsory in Lesotho through age 13, which makes children age 14 particularly vulnerable to child labor because they are not required to be in school and have not reached the minimum age for work.(7, 22) The ILO Committee of Experts urged the Government to collaborate with the Ministry of Education and Training to equate the compulsory education age and the minimum age for work.(7, 29)

Lesotho

MINIMAL ADVANCEMENT

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law enforcement remain.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Employment (MOLE)	Enforce child labor laws, including hazardous child labor. Assess compliance with child labor laws as part of general labor inspections.(6)
National Police, Child and Gender Protection Unit (CGPU)	Investigate child labor violations and work in conjunction with MOLE to enforce child labor laws, including those related to hazardous and forced child labor, commercial sexual exploitation, and child trafficking.(6)
Public Prosecutor's Office	Prosecute child labor law offenders.(6)
Children's Court	Enforce criminal laws related to the worst forms of child labor.(6) During the year, there were no prosecutions of child labor cases.

In 2016, the Ministry of Labor and Employment (MOLE) reviewed the Labor Code with the aim of making revisions that would authorize labor inspectors to conduct child labor investigations in the informal sector on private farms and in homes. In 2016, MOLE submitted a report to the ILO on labor, including informal work, in rural sections of the country.(7)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Lesotho took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (7)	Unknown (30)
Number of Labor Inspectors	38 (7)	32 (30)
Number of Child Labor Dedicated Inspectors	3 (7)	2 (30)
Inspectorate Authorized to Assess Penalties	Yes (7)	Yes (30)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (7)	No (30)
Training on New Laws Related to Child Labor	Yes (7)	No (30)
Refresher Courses Provided	Yes (7)	No (30)
Number of Labor Inspections	1,813 [†] (31)	1,324 [‡] (31)
Number Conducted at Worksite	1,813 [†] (31)	1,324 [‡] (31)
Number Conducted by Desk Reviews	N/A (7)	N/A (30)
Number of Child Labor Violations Found	0 (7)	1 (30)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (7)	0 (30)
Number of Penalties Imposed That Were Collected	N/A (7)	N/A (30)
Routine Inspections Conducted	Yes (7)	Yes (30)
Routine Inspections Targeted	No (7)	No (30)
Unannounced Inspections Permitted	Yes (7)	Yes (30)
Unannounced Inspections Conducted	Yes (7)	Yes (30)
Complaint Mechanism Exists	Yes (7)	Yes (30)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (7)	Yes (30)

[†] Data are from April 1, 2015 to March 31, 2016.

[‡] Data are from April 1, 2016 to March 31, 2017.

According to the ILO standard of 1 inspector for every 15,000 workers in developing economies, Lesotho should employ approximately 61 inspectors.(32-34) Reports indicate that there is inadequate funding for the labor inspectorate to carry out investigations.(7, 30)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Lesotho took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (7)	Yes (30)
Training on New Laws Related to the Worst Forms of Child Labor	No (7)	No (30)
Refresher Courses Provided	No (7)	No (30)
Number of Investigations	0 (7)	0 (30)
Number of Violations Found	0 (7)	0 (30)
Number of Prosecutions Initiated	0 (7)	1 (30)
Number of Convictions	0 (7)	0 (30)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (7)	Yes (30)

Reports indicate that the National Police Child and Gender Protection Unit receives inadequate or no funding to carry out child labor investigations.(6, 7) During the year, the Government ratified a special permit system with South Africa to allow Basothos to legally work in South Africa as a mechanism to curb human trafficking. The Government also incorporated human trafficking in the primary school curriculum (Standard 7) and held cross-border awareness campaigns with South African officials on identifying and documenting potential trafficking victims.(35)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Program Advisory Committee on Child Labor/National Task Team	Implement the National Action Plan for the Elimination of Child Labor. Led by MOLE's Child Labor Unit, the team includes representatives from government ministries, trade unions, NGOs, and international organizations.(6, 16) Met twice during the year.
Multi-Sectoral Committee on Combating Trafficking in Persons	Spearhead anti-trafficking in persons initiatives and approve legislation and policies to prevent human trafficking. Chaired by the Commissioner of Refugees and also includes government ministries; local government members; and representatives from NGOs, international organizations, and faith-based organizations.(36) The committee met during the year and developed draft victim identification and referral guidelines.(3)
District Child Protection Teams	Coordinate child protection matters, including child labor, at the district level. Led by the Ministry of Social Development, the teams include representatives from the Government, private sector, NGOs, and community support groups.(6) Research was unable to determine whether these teams met during the year.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies on Child Labor

Policy	Description
National Action Plan for the Elimination of Child Labor (APEC)	Ensures that all major interventions regarding child labor are in place while preventing duplication of efforts. Constitutes a strategic program framework based on existing and planned interventions in relevant social and economic sectors, some linked to other program initiatives.(37)

Table 9. Key Policies on Child Labor (cont)

Policy	Description
National Anti-Trafficking in Persons Strategic Framework and Action Plan	Supports the national and international obligations and commitments by strengthening approaches to protect children against the worst forms of child labor in support of the vision to “eradicate all forms of trafficking in persons in Lesotho, protect victims of trafficking in persons, arrest and successfully prosecute offenders and put in place preventative measures.”(37)
National Policy on Orphans and Vulnerable Children	Safeguards the rights of orphans and vulnerable children to an education, promotes access to apprenticeships and vocational and life skills programs for orphans and vulnerable children, and implements child labor prevention programs.(38)
Lesotho United Nations Development Assistance Framework (2013–2017)	Includes strategies to reduce poverty in Lesotho.(39) Framework promotes education for children, supports youth employment, and builds the Government’s capacity to provide social welfare services to vulnerable children.(39)
Kingdom of Lesotho: Poverty Reduction Strategy Paper— National Strategic Development Plan (2012/2013–2016/2017)	Outlines prevention measures and identifies child protection services (CGPU/police, social welfare, health, and the justice system) and their capacity to respond adequately to cases of violence, abuse, and exploitation of children, including child labor.(40)

In September 2016, the Government released a draft labor policy that proposes harmonizing existing legislation with international labor standards regarding child labor. Although government agencies disseminated information about child labor and human trafficking, research found no information that the Government took meaningful steps to implement the National Action Plan for the Elimination of Child Labor.(41) The Government has not included child labor elimination and prevention strategies in the Education Sector Strategic Plan.(42)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor†

Program	Description
ILO Decent Work Country Program (2012–2017)	ILO-funded program supported by MOLE that includes objectives on creating youth employment as a poverty-reduction strategy, establishing social protection coverage for citizens, and facilitating social dialogue among employers and workers.(8)
Orphans and Vulnerable Children (OVC) Scholarships Program†	Government program that pays for tuition, uniforms, supplies, and boarding fees for 15,002 OVCs.(6)

† Program is funded by the Government of Lesotho.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(37)

During 2016, the Government signed an MOU with an NGO, Beautiful Dream Society, to reestablish a shelter for victims of trafficking. The shelter opened in December 2016.(3) Lesotho participated in the Regional Inter-Agency Standing Committee (RIASCO) Action Plan for Southern Africa (December 2016 through April 2017), which resulted in 15 schools (3,750 learners) receiving access to clean water and toilets through the installation of new systems or the rehabilitation of existing systems.(43) Although Lesotho has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, the following actions would advance the elimination of child labor, including its worst forms, in Lesotho (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish 15 as the age up to which education is compulsory to match the minimum age for full-time work.	2010 – 2016
Enforcement	Provide adequate funding for labor inspectors and adequate funding and training for criminal investigators to address the worst forms of child labor.	2009 – 2016
	Ensure that labor inspections are conducted in all relevant sectors allowed by law to facilitate enforcement of child labor laws.	2014 – 2016
	Increase the number of labor inspectors to meet the ILO recommendation.	2016
Government Policies	Implement the National Action Plan for the Elimination of Child Labor.	2016
	Integrate child labor elimination and prevention strategies into existing youth policies, such as the Education Sector Strategic Plan.	2012 – 2016
Social Programs	Expand existing programs to address the scope of the child labor problem.	2015 – 2016

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33. ILO. *Strategies and Practice for Labour Inspection*. Report. Geneva, Committee on Employment and Social Policy; November 2006. <http://www.ilo.org/public/english/standards/reln/gb/docs/gb297/pdf/esp-3.pdf>. Article 10 of ILO Convention No. 81 calls for a "sufficient number" of inspectors to do the work required. As each country assigns different priorities of enforcement to its inspectors, there is no official definition for a "sufficient" number of inspectors. Amongst the factors that need to be taken into account are the number and size of establishments and the total size of the workforce. No single measure is sufficient but in many countries the available data sources are weak. The number of inspectors per worker is currently the only internationally comparable indicator available. In its policy and technical advisory services, the ILO has taken as reasonable benchmarks that the number of labor inspectors in relation to workers should approach: 1/10,000 in industrial market economies; 1/15,000 in industrializing economies; 1/20,000 in transition economies; and 1/40,000 in less developed countries.
34. UN. *World Economic Situation and Prospects 2012 Statistical Annex*. New York; 2012. http://www.un.org/en/development/desa/policy/wesp/wesp_current/2012country_class.pdf. For analytical purposes, the Development Policy and Analysis Division (DPAD) of the Department of Economic and Social Affairs of the United Nations Secretariat (UN/DESA) classifies all countries of the world into one of three broad categories: developed economies, economies in transition, and developing countries. The composition of these groupings is intended to reflect basic economic country conditions. Several countries (in particular the economies in transition) have characteristics that could place them in more than one category; however, for purposes of analysis, the groupings have been made mutually exclusive. The list of the least developed countries is decided upon by the United Nations Economic and Social Council and, ultimately, by the General Assembly, on the basis of recommendations made by the Committee for Development Policy. The basic criteria for inclusion require that certain thresholds be met with regard to per capita GNI, a human assets index and an economic vulnerability index. For the purposes of the *Findings on the Worst Forms of Child Labor* report, "developed economies" equate to the ILO's classification of "industrial market economies," "economies in transition" to "transition economies," "developing countries" to "industrializing economies," and "the least developed countries" equates to "less developed countries." For countries that appear on both "developing countries" and "least developed countries" lists, they will be considered "least developed countries" for the purpose of calculating a "sufficient number" of labor inspectors.
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In 2016, Liberia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government launched an awareness project to reduce the use of children for street vending in urban cities, developed a draft National Action Plan to combat the worst forms of child labor, and published data on its law enforcement efforts to address child labor. However, children in Liberia perform dangerous tasks in the production of rubber, and mining gold and diamonds. Children also engage in the worst forms of child labor, including in forced domestic work. The Liberia National Police's Women and Children Protection Section and the National Commission on Child Labor continue to lack sufficient resources to conduct investigations and enforce child labor laws. A key gap in the legal framework is that the compulsory education age is lower than the minimum age for work by one year.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Liberia perform dangerous tasks in the production of rubber, and mining gold and diamonds.(1, 2) Children also engage in the worst forms of child labor, including in forced domestic work.(1, 3) Table 1 provides key indicators on children's work and education in Liberia.

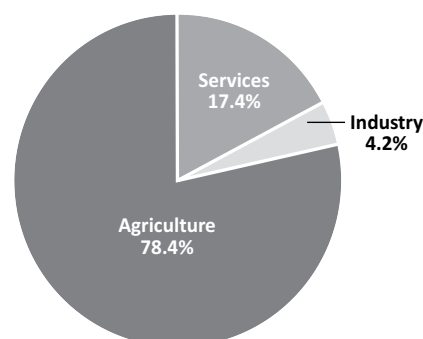
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	16.6 (136,340)
Attending School (%)	5 to 14	75.9
Combining Work and School (%)	7 to 14	14.0
Primary Completion Rate (%)		58.8

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Labour Force Survey, 2010.(5)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of rubber (1-3, 6-8)
	Production of charcoal (2, 6)
	Farming activities, including production of cocoa, coffee, and cassava (6, 9-11)
Industry	Mining for diamonds† and gold† (3, 7, 9, 10, 12, 13)
	Cutting and crushing stone (1, 2, 7, 10, 12, 14, 15)
	Construction, activities unknown (2, 7, 12)
Services	Domestic work (12, 14)
	Street work, including vending, begging, hawking goods, and carrying heavy loads (1, 6, 7, 16-18)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including selling drugs (12, 19, 20)
	Forced labor in domestic work, street vending, mining, begging, and work on rubber plantations, each sometimes as a result of human trafficking (3, 12, 19)
	Commercial sexual exploitation, sometimes as a result of human trafficking (21)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Liberia

MODERATE ADVANCEMENT




Children trafficked within Liberia are sometimes victims of commercial sexual exploitation, domestic work, forced begging, and forced labor in street vending, alluvial diamond mines, and on rubber plantations. Children are also trafficked from Liberia to Côte d'Ivoire, Guinea, Nigeria, and Sierra Leone.(3, 7) Research found that there is a contrast in child labor activities in rural versus urban communities.(15) Children in rural communities, like Margibi County, engage in rubber tapping and coal burning activities to a greater degree, whereas children in urban cities and surrounding communities, particularly Monrovia and the communities in Montserrado County, crush rocks near deposits.(15) The Government has yet to collect comprehensive data on child labor activities in farming and construction to inform policies and social programs.

Section 9 of the Children's Law mandates free primary education. Many schools, however, continue to charge fees or impose mandatory requirements, like uniforms and supplies, limiting access to education for some children.(6) Barriers to education that may prevent children from attending school and increase their risk of engaging in the worst forms of child labor include limited or overcrowded schools and sexual abuse of girls by male teachers in schools.(11, 22-24) Liberian parents are required by law to register their infants within 14 days of birth.(25) Birth registration is technically required in order for parents to enroll their children in school. However, fewer than 5 percent of births are registered. Children who are not enrolled in school are more vulnerable to the worst forms of child labor.(26, 27)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Liberia has ratified some key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Liberia's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Section 74 of the Labor Law (14, 28)
Minimum Age for Hazardous Work	Yes	18	Article 7, Section 9.1 of the Children's Law (29, 30)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 21.4 of the Decent Work Act (7, 31)
Prohibition of Forced Labor	Yes		Article 12 of the Constitution; Article 2.2 of the Decent Work Act; Article 7, Section 8 of the Children's Law; Article 1, Section 5 of the Act to Ban Trafficking in Persons Within the Republic of Liberia (29-33)
Prohibition of Child Trafficking	Yes		Article 7, Section 8 of the Children's Law; Article 1, Section 5 of the Act to Ban Trafficking in Persons Within the Republic of Liberia (29, 33)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 3, Section 21 of the Children's Law; Article 2.3 of the Decent Work Act; Article 1, Section 5 of the Act to Ban Trafficking in Persons Within the Republic of Liberia (29, 31, 33)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Using Children in Illicit Activities	Yes		Article 2.3 of the Decent Work Act; Chapter 16 of the Penal Law (31, 34)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		Article 3, Section 22 of the Children's Law (29)
State Voluntary	Yes	18	Article 3, Section 22 of the Children's Law (29)
Non-state Compulsory	Yes		Article 3, Section 22 of the Children's Law (29)
Compulsory Education Age	Yes	15	Article 3, Section 9 of the Children's Law; Chapter 4 of the Education Reform Act (29, 35)
Free Public Education	Yes		Article 3, Section 9 of the Children's Law (29)

* No conscription (36)

Children in Liberia are required to attend school only up to but not including age 15. This standard makes 15-year-old children vulnerable to child labor, because they are not required to attend school but are not legally permitted to work until age 16. Although Section 74 of the Labor Law prohibits employment of children under age 16, the penalty of a fine of \$1.18 (100 Liberian dollars) for those who violate the law is not sufficient to deter offenders.(28)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MOL)	Assess penalties for child labor violations and accompany representatives of the National Commission on Child Labor (NACOMAL) during child labor investigations.(7, 10)
Ministry of Gender, Children and Social Protection	Assist the MOL with the investigation of child labor cases and act as the lead advisory agency through its Children Protection and Development Division on policy formulation, coordination, and monitoring of child protection policies. Monitor the Government's efforts regarding compliance with the Universal Declaration of Human Rights, the UN Convention on the Elimination of All Forms of Discrimination against Women, UN CRC, and the African Union protocols on women and children.(37)
Liberia National Police (LNP) Women and Children Protection Section (WACPS)	Investigate human trafficking cases involving women and children under the guidance of the LNP.(38)
LNP Anti-Trafficking Unit	Ensure that human trafficking training is integrated into police orientation. Collaborate with the WACPS to investigate human trafficking cases.(27)
Bureau of Immigration and Naturalization	Enforce the Alien and Nationality Law of Liberia and protect the border from illegal entry of migrants. Aid in combating human trafficking by detecting fraudulent immigration documents.(10)
Liberian Transnational Crime Unit	Coordinate responses to international organized criminal activities, including monitoring and prosecuting criminal violations involving arms, human, and drug trafficking.(39)
Ministry of Justice	Promote and execute the rule of law for public safety, including the prosecution of child labor perpetrators.(40)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Liberia took actions to combat child labor, including its worst forms (Table 6).

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Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (7)	Unknown* (2)
Number of Labor Inspectors	39 (7)	31 (2)
Inspectorate Authorized to Assess Penalties	Yes (41)	Yes (41)
Training for Labor Inspectors		
Initial Training for New Employees	N/A (7)	Yes (2)
Training on New Laws Related to Child Labor	N/A (7)	Yes (2)
Refresher Courses Provided	Yes (7)	Yes (2)
Number of Labor Inspections	Unknown (7)	486 (2)
Number Conducted at Worksite	Unknown (7)	486 (2)
Number Conducted by Desk Reviews	N/A (7)	N/A (2)
Number of Child Labor Violations Found	0 (7)	0 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (7)	N/A (2)
Number of Penalties Imposed That Were Collected	N/A (2, 7)	N/A (2)
Routine Inspections Conducted	Unknown (7)	Yes (2)
Routine Inspections Targeted	Unknown (7)	Yes (2)
Unannounced Inspections Permitted	Yes (7)	Yes (2)
Unannounced Inspections Conducted	Yes (7)	Yes (2)
Complaint Mechanism Exists	Yes (7)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (7)	Yes (2)

*The Government does not publish this information.

In 2016, the Ministry of Labor's (MOL) budget decreased from \$1.8 million to \$1.7 million, and the amount of funding dedicated solely to the labor inspectorate remains unknown. Due to limited resources, mainly lack of transportation, the labor inspectorate's response to investigate and address suspected and reported cases of labor violations is ineffective.(2) The number of labor inspectors is insufficient for the size of Liberia's workforce, which includes more than 1.6 million workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Liberia should employ roughly 110 labor inspectors. Additionally, labor inspections are mostly carried out in the formal sector.(2) For example, labor inspectors conducted unannounced inspections of construction companies and private businesses.(7)

During the year, the MOL and the National Commission on Child Labor (NACOMAL) trained labor inspectors on child labor and occupational safety and health.(2) Although the MOL refers suspected cases of child labor to NACOMAL, NACOMAL is responsible only for investigations, while the MOL handles the penalization of violators. NACOMAL's child labor investigations are carried out with the assistance of the MOL; the Ministry of Gender, Children and Social Protection; the Women and Children Protection Section (WACPS) of the Liberia National Police (LNP); and three NACOMAL staff members (director, assistant director, and filing clerk).(7, 42) In 2016, it was reported that NACOMAL has no operating budget and has limited staff to carry out its child labor investigations.(2)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Liberia took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown (7)	N/A (2)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (7)	Yes (2)
Refresher Courses Provided	Yes (7)	Yes (2)
Number of Investigations	Unknown (7)	162 (2)

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor (cont)

Overview of Criminal Law Enforcement	2015	2016
Number of Violations Found	0 (7)	128 (2)
Number of Prosecutions Initiated	Unknown (7)	0 (2)
Number of Convictions	Unknown (7)	0 (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (7)	Yes (7)

The WACPS reported having limited resources to conduct investigations, including a lack of vehicles, fuel, sufficient training, finances, communications equipment, and investigative equipment.(7, 43) The LNP refers child endangerment cases for prosecution to the Ministry of Justice. The data for child endangerment cases prosecuted through the Ministry of Justice are not disaggregated to determine the number involving child labor violations.(2, 7) Although 128 violations were found, there were no prosecutions because violations were addressed through corrective measures or conferences.(44)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
NACOMAL	Lead child labor investigations and oversee the coordination of efforts to combat child labor. Led by the MOL and composed of representatives from 16 organizations, including international and civil society organizations.(45) Objectives include reforming national child labor laws and creating a national child labor database to assist with conducting surveys to determine the magnitude of the child labor issue in the country.(45)
National Steering Committee on Child Labor	Implement child labor policies. Chaired by the MOL and composed of government officials and workers' organizations.(7) Includes four subcommittees on resource mobilization, advocacy, training and legal development, and monitoring and evaluation. Met quarterly during the reporting period.(42, 46) Conducted two trainings during the reporting period that focused on international child labor definitions and developing goals for the National Action Plan for the Elimination of Child Labor.(41)
Child Protection Network	Coordinate child protection efforts through monthly meetings to discuss child protection issues, including child labor and human trafficking. Chaired by the Ministry of Gender and Development, and composed of the MOL, the Ministry of Health and Social Welfare, the WACPS, civil society organizations, and several NGOs.(12) Also responsible for coordinating referrals of child victims of abuse to social services providers, with support from international and national organizations.(10, 14) Met during the reporting period.(44)
Anti-Human Trafficking Task Force	Coordinate anti-human trafficking activities. Chaired by the MOL and includes the Commissioner of the Bureau of Immigration and Naturalization; the LNP; and representatives from the Ministry of Justice, Ministry of Foreign Affairs, and Ministry of Internal Affairs.(38) During the year, the task force provided shelter to trafficking victims. Investigated cases of trafficking in persons (TIP), and set up a hotline to receive suspected reports of TIP.(44)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan for Trafficking in Persons	Outlines the Government's anti-human trafficking efforts, including those for child victims.(10) Research could not find information about accomplishments during the year.(41)
Direct Assistance and Support to Trafficked Victims Standard Operation Procedures	Establishes roles and responsibilities for coordinating government assistance to human trafficking victims. (27) Provides shelter and care to children who were suspected TIP victims.(41)
National Social Welfare Policy	Prioritizes the development of action plans and policies that target children engaged in the worst forms of child labor, including child trafficking.(47)

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In 2016, the Government developed a draft National Action Plan on Child Labor.(2) The Government reviewed the National Strategy for Child Survival but did not renew it during the year, and also failed to renew the National Health Policy. In addition, the Government failed to include child labor elimination and prevention strategies in the following: Revised National Youth Policy, National HIV/AIDS Strategic Plan, Education Sector Plan, Rubber Industry Master Plan, and the National Employment Policy.(48-55)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor†

Program	Description
Anti-Trafficking Awareness Campaign†	Government of Liberia program led by the MOL that uses radio and billboard messages to raise public awareness on human trafficking.(11, 27) Campaign continued during the reporting period.(44)
USDOL-Funded Projects to Combat Child Labor	<u>Actions to Reduce Child Labor in Areas of Rubber Production</u> (2012–2017); \$6.2 million project implemented by Winrock International to combat child labor in the rubber sector. Provided 3,700 households with livelihood services and 10,126 children with education services. <u>Global Action Program on Child Labor Issues</u> (2011–2017); \$15.9 million project implemented by the ILO that aims to build the capacity of the national government and develop strategic policies to address the elimination of child labor and forced labor in Liberia. <u>County Level Engagement and Assistance to Reduce Child Labor (CLEAR) II</u> (2016–2018), implemented by the ILO to build the capacity of the government to address child labor.(2, 56, 57) Additional information is available on the USDOL Web site .
U.S. Government-Funded Projects on Education for Adolescent Girls	U.S. Government-funded projects that aim to improve access to education and improve child protection. Includes New Accelerated Quality Education Activity (2016–2019),* \$33.9 million USAID-funded project implemented by the Education Development Center; Providing Support for the Education of Girls with Disabilities, implemented by USAID with partnership and support from Liberia’s Ministry of Education; Increasing Support for Out-of-School Girls and Youth, implemented by USAID; Advancing Youth Program, implemented by the Education Development Center; McGovern-Dole International Food For Education and Child Nutrition Program; Girls Leading Our World Camps (2014–2017), implemented by the Peace Corps.(58-60) Through programs of the U.S. Department of State’s Bureau of Educational and Cultural Affairs, female high school students participate in short- and long-term exchanges to promote education, empowerment, and leadership skills. In 2016, more than 1,500 adolescent girls participated in public outreach programs.(41)

* Program was launched during the year.

† Program is funded by the Government of Liberia.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(58, 61-68)

During the year, the Ministry of Gender, Children and Social Protection, in collaboration with the Child Protection Network and the Liberia Children Representative Forum, launched an awareness project to remove children, especially those in Monrovia, from street work.(69) Although the Government funds social programs, they are not sufficient to address the child labor problem.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Liberia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2016
	Ensure that penalties for employing children under the minimum age for work are stringent to deter violations.	2014 – 2016
	Raise the compulsory education age to be consistent with the minimum age for employment.	2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information about the labor inspectorate's funding to conduct inspections and fulfill its enforcement duties.	2016
	Ensure that labor inspections are conducted in the informal sector in which children are found working.	2016
	Ensure adequate funding for child labor enforcement mechanisms and prosecution efforts, such as the MOL, the WACPS, and the Anti-Human Trafficking Task Force, and provide necessary training for such officials to enforce child labor laws.	2010 – 2016
	Disaggregate the number of complaints and report on the number of child labor cases received.	2016
Government Policies	Integrate child labor elimination and prevention strategies into existing health, education, and youth policies.	2010 – 2016
	Renew or develop policies that improve youth literacy rates and that improve the health care delivery system, such as the National Strategy for Child Survival and the National Health Policy.	2015 – 2016
Social Programs	Conduct research to determine the activities carried out by children working in farming and construction to inform policies and programs.	2013 – 2016
	Improve access to education by subsidizing the cost of school fees and reduce barriers to education by building additional schools, addressing sexual abuse in schools, and ensuring that children are registered at birth.	2012 – 2016
	Expand existing social programs to address the scope of the child labor problem.	2009 – 2016

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In 2016, Macedonia made a moderate advancement in efforts to eliminate the worst forms of child labor. The National Commission for Trafficking in Persons and Illegal Migration established three new local commissions and assisted in the development of an action plan. The Government also trained first responders on the Standard Operating Procedures on Unaccompanied and Separated Children and Vulnerable Persons and screened migrants and refugees, including children, for human trafficking. In addition, Government funding for programs dedicated to combating trafficking in persons increased. However, children in Macedonia engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation. Macedonia lacks recent, comprehensive data on the nature and extent of child labor in the country. In addition, the law's minimum age protections do not apply to children who are self-employed or working outside formal employment relationships.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Macedonia engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation.(1-6) Table 1 provides key indicators on children's work and education in Macedonia.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	18.3 (44,161)
Attending School (%)	5 to 14	86.8
Combining Work and School (%)	7 to 14	19.5
Primary Completion Rate (%)		88.3

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2011.(8)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Services	Street work, including vending small items, cleaning vehicle windshields, scavenging, and begging (2-5)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 5, 6, 9-11)
	Forced begging (1, 3, 5, 6)
	Domestic work as a result of human trafficking (1, 9, 12, 13)
	Forced labor as wait staff and dancers in restaurants, bars, and nightclubs (6, 13)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.

The majority of children involved in child labor in Macedonia engage in street work, including vending small items, cleaning vehicle windshields, and begging.(3, 4, 6) Some children engage in begging to help support their families, while others are forced to beg. The majority of children involved in street work are of the Roma ethnicity.(1, 3, 4) Macedonia lacks recent, comprehensive data on the nature and extent of child labor in the country.

The majority of victims of child trafficking in Macedonia are girls, between the ages of 14 and 17, who have been trafficked domestically for commercial sexual exploitation and forced labor in restaurants, bars, and nightclubs.(1, 9, 12) Girls in

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eastern and central Macedonia have been identified as being at particularly high risk for human trafficking.(14) Roma girls, especially, are also trafficked for forced marriages in which they are subject to sexual and labor exploitation.(1, 9, 12)




Afghani, Iraqi, Iranian, Syrian, and other children transiting through the country, either legally or illegally, are vulnerable to trafficking for labor and commercial sexual exploitation.(11) Between January and March 2016, approximately 34,402 children transited through Macedonia, of which 226 (117 Afghani, 28 Iraqi, and 81 Syrian) were without an accompanying parent.(15) After the border closure in March 2016, 44 percent of the total number of migrants in transit centers were children.(15) Unaccompanied Afghan children between the ages of 13 and 15 were especially vulnerable to being subjected to labor exploitation through debt bondage by smugglers.(1, 16)

The Government was unable to fully meet the demand for instruction in Romani due to a shortage of qualified teachers.(17) Birth certification is required for attending school in Macedonia, and some Roma children had difficulty accessing education due to a lack of birth registration and identity cards.(10, 18, 19) Classes for children with intellectual disabilities have disproportionately high enrollment rates of Roma children due to discrimination based, in part, on faulty screening procedures for assessing intellectual disabilities.(19-22) Increased government funding for programs to eliminate barriers to education has increased school attendance rates among Roma children.(19) Barriers remain, however, and increase Roma children's vulnerability to child labor.

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Macedonia has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Macedonia's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations Related on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	15	Article 42 of the Constitution; Section 7 of the Labor Relations Act (23, 24)
Minimum Age for Hazardous Work	Yes	18	Sections 7, 63, 66, and 67 of the Labor Relations Act (24)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Rulebook on the Minimum Occupational Safety and Health Requirements for Young Workers (25)
Prohibition of Forced Labor	Yes		Article 11 of the Constitution; Articles 418, 418-c and 418-d of the Criminal Code (23, 26)
Prohibition of Child Trafficking	Yes		Articles 418-c and 418-d of the Criminal Code (26)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 190-193b of the Criminal Code (26)

Table 4. Laws and Regulations Related on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Using Children in Illicit Activities	Yes		Article 12 of the Law on Child Protection (27)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		Article 62 of the Law on Defense (28)
State Voluntary	Yes	18	Article 62 of the Law on Defense (28)
Non-state Compulsory	Yes		Articles 122, 322-a, and 404 the Criminal Code (26)
Compulsory Education Age	Yes	16	Articles 4, 5, 47, and 172 of the Law on Primary Education; Article 3 of the Law on Secondary Education (29, 30)
Free Public Education	Yes		Article 44 of the Constitution (23)

* No conscription (31)

The law's minimum age protections do not apply to children who are self-employed or working outside formal employment relationships.(3, 24)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Policy (MLSP)	Work with the police to seek out street children in need of assistance and track cases of forced child labor through the Department of Social Inclusion.(14, 32) Register complaints about hazardous child labor and investigate children's participation in street work through the Centers for Social Work (CSWs) and Ombudsman's Office, which includes a special unit for the investigation of violations of child rights and refers complaints to the State Labor Inspectorate.(3, 5, 33) When child labor is detected, the child is removed, put under the care of the CSW, and interviewed by a social worker. The child is then either returned to the family or taken to a safe house.(5)
State Labor Inspectorate (SLI)	Enforce child labor laws and transmit cases of suspected criminal law violations to the Public Prosecutor. Inspectors conduct a minimum of 60 target and compliant-based cases per month.(32, 33)
Ministry of Interior (MOI)	Enforce laws related to hazardous child labor. Investigate cases of child trafficking, commercial sexual exploitation, and the use of children in illicit activities through its special police unit for organized crime, corruption, and human trafficking.(33) With MLSP, formed mobile teams in previous years to identify street children and remove them from hazardous situations, but in 2016 the MOI did not do this.(1, 3, 11)
Public Prosecutor's Office	Prosecute criminal law violations, including those involving the worst forms of child labor.(34) Has an Organized Crime and Corruption Unit with four prosecutors dedicated to cases of child abuse and the worst forms of child labor. The Skopje Basic Prosecutor's Office has eight prosecutors for child abuse cases.(13, 35)
Office of the National Referral Mechanism	Refer potential cases of child victims of human trafficking to law enforcement authorities for investigation, and refer potential victims to social services.(14, 35)

During the reporting period, the Ministry of Labor and Social Policy (MLSP) Department of Social Inclusion led efforts to remove Roma street children who were considered potential victims of forced begging.(11)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Macedonia took actions to combat child labor, including its worst forms (Table 6).

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Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown (17)
Number of Labor Inspectors	79 (3)	74 (17)
Inspectorate Authorized to Assess Penalties	Yes (3)	Yes (5)
Training for Labor Inspectors		
Initial Training for New Employees	No (3)	Yes (5)
Training on New Laws Related to Child Labor	No (3)	No (5)
Refresher Courses Provided	No (3)	Yes (5)
Number of Labor Inspections	26,872 (3)	16,671 (17)
Number Conducted at Worksite	Unknown	16,671 (36)
Number Conducted by Desk Reviews	Unknown	0 (5)
Number of Child Labor Violations Found	0 (3)	0 (17)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	N/A
Number of Penalties Imposed that Were Collected	N/A	N/A
Routine Inspections Conducted	Yes (3)	Yes (5)
Routine Inspections Targeted	Yes (3, 13)	Yes (5)
Unannounced Inspections Permitted	Yes (3)	Yes (5)
Unannounced Inspections Conducted	Yes (3, 13)	Yes (5)
Complaint Mechanism Exists	Yes (3, 13)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3, 13)	Yes (5)

Macedonia's State Labor Inspectorate (SLI) is responsible for enforcing all labor laws, including laws on child labor, in all sectors of the formal economy. A source reported that the resources were adequate in 2016.(5)

In previous years, inspections conducted by the MLSP were not shared among offices due to a non-existent central database.(33) This led inspectors to write reports without having knowledge about the findings in previous inspections. Labor inspection reports were not always shared within the SLI and between the SLI and MLSP.(33, 36)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Macedonia took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (1)	Yes (36)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (3)	Yes (36)
Refresher Courses Provided	Yes (1)	Yes (11)
Number of Investigations	Unknown (13)	13 (17)
Number of Violations Found	Unknown (13)	6 (17)
Number of Prosecutions Initiated	Unknown (13)	13 (17)
Number of Convictions	7 (13)	0 (17)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (13)	Yes (5)

In Macedonia, legal requirements mandate that public prosecutors receive a 30-month training on criminal deeds, including child labor.(17) Training was conducted for police officers on border management during humanitarian crises and identification of human trafficking victims. The MLSP trained 60 social workers employed at orphanages and CSWs on identification of human trafficking victims.(11) Between October and December 2016, 150 stakeholders, including border police and NGOs, received training on foreign unaccompanied and vulnerable children.(11)

In 2016, three children were identified as victims of human trafficking and referred to the government shelter to receive protection and assistance.(11) Two children remained in the shelter for an extended time, and one was taken to a foster family.

The Prosecutor's Office is underfunded. Although human trafficking cases are given high priority and tried by the Organized Crime and Corruption Prosecutor's Unit at the main court in Skopje, these cases sometimes remain in the court system for years without conclusion.(33, 35) Despite the acknowledgement that trafficking of children remains a problem, the Government's attention has shifted away from taking concrete action to focusing on the refugee and ongoing domestic political crises.(17) Sources reported that border agents were unable to properly identify victims of human trafficking and proper coordination was lacking.(11)

The Government implemented the 2015 Standard Operating Procedures (SOPs) on Unaccompanied and Separated Children (UASC) and Vulnerable Persons, which clearly outline identification, referral, and processing of UASCs. The National Commission for Trafficking in Persons and Illegal Migration (National TIP Commission) trained first responders on the anti-trafficking SOPs that apply to unaccompanied children and screening of migrants and refugees for human trafficking.(11) All referred unaccompanied alien children (UACs) were assigned guardians and underwent a best interest assessment. However, the Government assigned random adult refugees guardianship of unaccompanied children, granting them legal control over the children and their travel documents.(16, 17, 36)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Commission for the Protection of the Rights of Children	Coordinate efforts to protect children's rights, including by preventing and eliminating child labor, by providing social services.(33) Led by the MLSP.(5)
National Coordination Body for Protection of Children from Abuse and Neglect	Oversee implementation of the National Action Plan for Prevention and Countering Abuse and Neglect of Children. Comprises representatives from civil society, WHO, and UNICEF country offices.(37)
National Commission for Trafficking in Persons and Illegal Migration (National TIP Commission)	Coordinate the work of all institutions involved in combating human trafficking. Led by the National Coordinator for Combating Trafficking in Persons (National Coordinator) with representatives from governmental institutions.(33) Includes the Sub-Committee for the Fight Against Trafficking in Children, which serves as an advisory body to the National TIP Commission on all forms of child trafficking.(1, 33, 38) Led by the MLSP.(5) A new National Coordinator and National Rapporteur were appointed in 2016.(11, 36)

In 2016, all intergovernmental coordination efforts related to child protection were put on hold due to elections and political conflict between the ruling party and the opposition.(5) The National Commission for the Protection of the Rights of Children and the National Coordination Body for the Protection of Children from Abuse and Neglect did not meet.(5) The National TIP Commission was reportedly underfunded and played a limited role in coordinating efforts on prevention and protection among NGOs and local committees.(1, 11)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan against Trafficking in Persons and Illegal Migration (2013–2016)	Focuses on preventing human trafficking by reducing the vulnerability of at-risk populations, reducing the demand for the purchase of sexual services, improving victim identification, and increasing efforts to combat human trafficking for the purposes of forced begging and other forms of labor exploitation.(9) It was reported that the level of implementation was positive for the National Action Plan during the 2013–2016 period.(36)

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Table 9. Key Policies Related to Child Labor (cont)

Policy	Description
National Strategy for the Fight Against Poverty and Social Exclusion (2010–2020)	Addresses social protection, social inclusion, health, education, and employment of children.(33) Aims to increase birth registration for Roma and other minorities, expand patrol services to identify and support street children, and improve the provision of social services for children involved in street work and begging. Implemented by the MLSP.(33, 39)
National Action Plan for Education (2016–2020)	Aims to increase inclusive education and improve education for the Roma community by increasing the number of students in preschool and elementary schools and decreasing the number of Roma students in primary schools for children with special needs.(40)

The Government did not provide sufficient funding for the National Action Plan against Trafficking and Illegal Migration and failed to fund any NGOs.(11) Research was unable to determine whether activities were undertaken to implement all policies of the National Strategy for the Fight Against Poverty and Social Exclusion and the National Action Plan for Education during the reporting period.(5)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor†

Program	Description
MLSP Day Centers, Shelter, and Social Worker Trainings‡	Operates two day centers that can hold 60 children and supports two other centers, partially funded and operated by NGOs, that can hold 80 children.(5, 41) Supports a street children transit center.(41) In 2016, provided services to 51 children at the day centers; 70 children received social services.(5, 17) Runs an ongoing program to instruct foster families on how to accommodate child trafficking victims. In 2016, implemented a program to train social workers on providing assistance to child trafficking victims placed with foster families.(5)* Provides counseling, education, and assistance with registration documents to street children and child human trafficking victims at 30 CSW facilities.(12, 33) In 2016, dispatched CSW workers to the border crossings and migrant camps to look for indications of human trafficking. Provided specific training on handling TIP cases and identification of victims.(11)
Hotlines	NGO Open Gate/La Strada operates a TIP hotline with seven operators.(17) NGO Megjashi runs an SOS hotline to report cases of child labor and abuse. In 2016, it received 82 calls involving 111 children.(17)
Center for Victims of Human Trafficking and Transit Center for Foreign Victims of Trafficking†	The MLSP runs the Center for Victims of Human Trafficking shelter, which provides housing, basic services, and reintegration services to victims.(1, 42, 43) The MOI supports the Transit Center for Foreign Victims of Trafficking, operated by NGOs.(42) In 2016, three minors were referred to the shelter.(11)
Program for the Protection of Children Against Violence (2016–2020)*	Government partnership with UNICEF, fully funded by UNICEF. Goals include strengthening national systems and service for prevention, detection, referral, and response to children victims and potential victims of violence and abuse.(5, 44) MLSP, MOI, and Ministry of Justice are all part of the project work plan.(17)
Inclusion of Roma Children in Preschool Education†	MLSP project implemented in cooperation with the Roma Education Fund and 19 government units. Aims to support the integration of Roma children by increasing the number of Roma children in preschool.(5)
Educational Seminars for Roma Students and Teachers	Ministry of Education, social workers, and NGOs provided educational seminars to several local Roma NGOs, students, and teachers. Children in the seminars were instructed on the risks associated with forced marriages of minors.(5)

* Program was launched during the reporting period.

† Program is funded by the Government of Macedonia.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(1, 11)

New programs were launched in 2016 and government funding for combating trafficking in persons increased; however, programs funded by donors typically were not extended by the government after funding expired.(1, 5, 11) A source reported that funding decreased for victim assistance in shelters. Also, day centers have not reduced the number of children on the streets, especially of the Roma ethnicity, suggesting that existing programs were insufficient in combating child labor.(5, 11, 17)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Macedonia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that labor law protections apply to all children, including self-employed children and children working outside formal employment relationships.	2015 – 2016
Enforcement	Publish information on labor law enforcement, including SLI's funding amount.	2015 – 2016
	Provide training to labor inspectors on new child labor laws.	2014 – 2016
	Provide labor inspectors with an electronic system to record and share data on inspections, including the number of inspections, the number of violations found, and the number of citations issued by the SLI and the MLSP, and the entity receiving the citation, and publish the information.	2009 – 2016
	Provide sufficient funding to the Prosecutor's Office.	2013 – 2016
	Ensure law enforcement agencies proactively identify child trafficking victims and border agents coordinate to properly identify victims of human trafficking.	2015 – 2016
	Reduce the vulnerability to trafficking of unaccompanied children transiting through Macedonia or seeking asylum by ending the practice of granting random adult refugees guardianship of these children.	2016
Coordination	Reactivate meetings of the National Commission for the Protection of the Rights of Children and the National Coordination Body for the Protection of Children from Abuse and Neglect.	2016
	Increase the National Commission for Trafficking in Persons and Illegal Migration coordination role among NGOs and local human anti-trafficking committees.	2015 – 2016
Government Policies	Provide sufficient funding to implement the National Action Plan against Trafficking in Persons and Illegal Migration.	2014 – 2016
	Ensure that activities are undertaken to implement the National Strategy for the Fight Against Poverty and Social Exclusion and the National Action Plan for Education.	2016
Social Programs	Conduct research to determine the activities carried out by children engaged in child labor, including those in street work and those being subjected to commercial sexual exploitation.	2013 – 2016
	Reduce barriers to education by increasing the number of teachers who can provide education in the Romani language and eliminate placing children in schools for children with intellectual disabilities on the basis of ethnicity. Make additional efforts to register Roma children at birth.	2014 – 2016
	Increase funding dedicated to combating child trafficking, and ensure that child trafficking victims receive assistance that addresses their specific needs, including shelters.	2015 – 2016
	Increase the number of day centers to ensure all vulnerable children in need receive assistance.	2009 – 2016

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In 2016, Madagascar made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government increased the number of child labor inspectors from 4 to 15, launched a study with UNICEF to assess violence and exploitation of children in Madagascar, and expanded the implementation of the Code of Conduct for the Protection of Children in the Tourism Industry. In addition, the Government continued to participate in a number of programs targeting the worst forms of child labor. However, children in Madagascar perform dangerous tasks in agriculture, including the production of vanilla. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Limited resources for the systematic enforcement of child labor laws impede government efforts to protect children from the worst forms of child labor. Social programs to combat child labor are also insufficient to adequately address the extent of the problem.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Madagascar perform dangerous tasks in agriculture, including the production of vanilla.(1-6) Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking.(4, 7-12) Table 1 provides key indicators on children’s work and education in Madagascar.

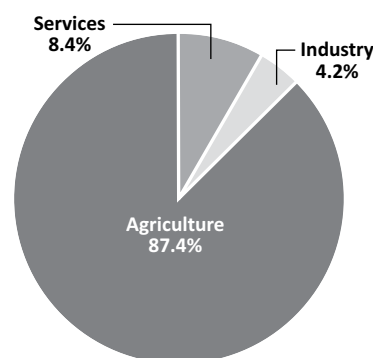
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	22.1 (1,206,992)
Attending School (%)	5 to 14	69.1
Combining Work and School (%)	7 to 14	15.4
Primary Completion Rate (%)		69.3

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(13)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from the National Survey of Child Labor (Enquête Nationale sur le Travail des Enfants), 2007.(14)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of tea, wine, coconut, hemp, rice, and peanuts (4, 15-17)
	Production of vanilla, including working in the drying process, and transporting vanilla beans (1, 3, 5, 6, 18-21)
	Fishing and deep-sea diving, including for crabs, lobster, and shrimp (4, 6, 16, 22, 23)
	Herding cattle (zebu) and goats (6, 16, 24, 25)
Industry	Mining† gold, sapphires, crystal, quartz, and tourmaline, and transporting† blocks and stones at mining sites (10, 16, 22, 26-29)
	Quarrying† and crushing stone and making gravel† (3, 10, 22-24, 26)
	Production of salt (6, 22, 24)
Services	Street work, including begging, market vending, transporting goods by rickshaw, and scavenging garbage (4, 6, 10, 22-25)
	Working in bars,† including as waitresses, maids, and masseuses (7, 8, 12, 25, 28, 30, 31)
	Domestic work† (4, 8, 10, 12, 24)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [†]	Commercial sexual exploitation, sometimes as a result of human trafficking (4, 7-12)
	Forced labor in mining, quarrying, begging, and domestic work (4, 8, 10, 12, 26, 31)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.




Children in the mining sector suffer from respiratory problems and diseases such as diarrhea and malaria, and are also at risk of injury from collapsing mines. Children, as young as 10, dig pits up to 15 meters deep and carry plastic sacks filled with air to breathe.(4, 10, 23, 24, 26, 27) Most of the children involved in gold and sapphire mining are in the regions of Anlamanga, Anosy, Ilakaka, and Vakinankaratra.(4, 16, 27) In addition, children working in the production of vanilla in Madagascar are exposed to toxic substances, extreme temperatures, transport heavy loads, and work for long hours. (1-3, 5, 6, 18-21)

Although the Constitution guarantees free compulsory education, the lack of school infrastructure and qualified teachers, limited transportation services in rural areas with long distances to schools, cost of school fees and supplies, and reported school violence impede access to education in Madagascar, which leaves children vulnerable to the worst forms of child labor.(6, 23-25, 32-35)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Madagascar has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Madagascar’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 100 of the Labor Code (36)
Minimum Age for Hazardous Work	Yes	18	Article 101 of the Labor Code; Articles 10 of Decree 2007-563 (36, 37)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 101 of the Labor Code; Articles 10, 12 and 16-22 of Decree 2007-563 (36, 37)
Prohibition of Forced Labor	Yes		Article 4 of the Labor Code; Article 8 of Law 2014-040; Article 15 of Decree 2007-563; Articles 333 and 335 of Law 2007-038; Article 1 of Law 2014-040 (36-39)
Prohibition of Child Trafficking	Yes		Article 15 of Decree 2007-563; Articles 333 and 335 of Law 2007-038; Articles 1 and 8 of Law 2014-040 (37-39)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 13 of Decree 2007-563; Article 335 of Law 2007-038; Article 1 of Law 2014-040 (37-39)
Prohibition of Using Children in Illicit Activities	Yes		Articles 11 and 14 of Decree 2007-563(37)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 11 of Ordinance No. 78-002 (40)
Non-state Compulsory	Yes	18	Articles 15 of Decree 2007-563(37)
Compulsory Education Age	Yes	16 [‡]	Article 24 of the Constitution; Article 39 of Law 2008-011 (34, 41)
Free Public Education	Yes		Article 24 of the Constitution (34)

* No conscription (42)

[‡]Age calculated based on available information(41)

Malagasy law prohibits hazardous occupations and activities for children; however, these prohibitions do not cover deep-sea diving and fishing, areas in which there is evidence that Malagasy children work in dangerous conditions. A revised law that contains a more specific list of hazardous child labor activities in all relevant sectors, including underwater work, was developed, but it was not approved during the reporting period.(6, 23, 43, 44)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Civil Services and Labor Division for the Prevention, Abolition, and Monitoring of Child Labor (PACTE)	Enforce child labor laws and coordinate, train, and evaluate all activities in the context of the elimination of child labor.(6, 23, 33, 44)
Ministry of Justice	Enforce laws pertaining to violence against children, including human trafficking and commercial sexual exploitation.(12, 23)
National Police Force Morals and Minors Brigade (PMPM)	Investigate criminal cases involving minors, including issues pertaining to human trafficking and commercial sexual exploitation. Housed under the Ministry of Public Security. (4, 12, 23, 35, 45)
Department-level Courts	Prosecute child labor convictions.(23)
Ministry of Population, Social Protection and the Promotion of Women	Develop and implement programs to protect vulnerable children, including victims of the worst forms of child labor.(23) Manage 780 child protection networks to protect children from abuse and exploitation in all 22 regions of Madagascar. Approximately 450 of the networks are operational.(6, 12, 23, 35, 46)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Madagascar took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$41,000 (15, 47)	\$49,000(15, 47)
Number of Labor Inspectors	142 (15)	132 (23)
Number of Child Labor Dedicated Inspectors	4 (15)	15 (23, 44)
Inspectorate Authorized to Assess Penalties	Yes (48)	Yes (48)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (48)	Yes (23)
Training on New Laws Related to Child Labor	N/A (15)	N/A (23)
Refresher Courses Provided	Yes (48)	No (23)

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Number of Labor Inspections	Unknown (15)	Unknown (23)
Number Conducted at Worksite	Unknown (15)	Unknown (23)
Number Conducted by Desk Reviews	Unknown (15)	Unknown (23)
Number of Child Labor Violations Found	Unknown (15)	Unknown (23)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (15)	Unknown (23)
Number of Penalties Imposed that Were Collected	Unknown (15)	Unknown (23)
Routine Inspections Conducted	Unknown (15)	Yes (44)
Routine Inspections Targeted	Unknown (15)	Yes (44)
Unannounced Inspections Permitted	Yes (49)	Yes (23, 44)
Unannounced Inspections Conducted	Yes (48)	Yes (23, 44)
Complaint Mechanism Exists	Yes (48)	Yes (23, 44)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (48)	Yes (23, 44)

The number of labor inspectors is insufficient for the size of Madagascar's workforce, which includes over 12 million workers. According to the ILO's recommendation of one inspector for every 40,000 workers in less developed economies, Madagascar should employ roughly 325 labor inspectors in order to adequately enforce labor laws throughout the country.(50-52). In addition, half of the employed labor inspectors work in the capital hampering the Government's capacity to enforce child labor laws in rural areas, especially in the agricultural sector.(4, 6) During the reporting period, the Prevention, Abolition, and Monitoring of Child Labor (PACTE) conducted unannounced inspections of mines and quarries in four regions of the country; however the exact number of inspections is unknown.(4) In addition, PACTE trained civil society organizations in three regions to identify and report cases of child labor. However, reports indicate that PACTE lacked trained staff, equipment, and funding to manage existing child labor databases, and to conduct effective child labor inspections.(4, 23, 44)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Madagascar took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown (48)	Unknown (48)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (48)	Yes (23)
Refresher Courses Provided	Yes (48)	Yes (23)
Number of Investigations	Unknown (48)	Unknown (48)
Number of Violations Found	60 (31)	41 (45)
Number of Prosecutions Initiated	Unknown (48)	Unknown (23)
Number of Convictions	Unknown (48)	Unknown (23)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (15)	Yes (23, 44)

In 2016, the National Police Force's Morals and Minors Brigade (PMPM) had a headquarters and 15 regional units across Madagascar, employing a total of 118 agents.(23) In 2016, the National Police received a budget of approximately \$29,400; however, research did not determine what proportion of the budget was available to conduct investigations related to the worst forms of child labor.(23) During the reporting period, the PMPM investigated an estimated 777 complaints that children were victims of crimes such as rape and violence. Of these cases, 41 were determined to be related to child labor in domestic work, but authorities did not gather sufficient evidence to determine whether any of the cases involved domestic servitude. Some of these cases were reported through the national child protection hotline.(23, 35, 45) It is unclear, however, how many child labor violations were found in areas beyond domestic work, how many prosecutions were initiated and whether these cases led to convictions. (31) Reports indicate a lack of trained staff, equipment, and transportation to effectively conduct criminal law enforcement efforts related to the worst forms of child labor.(4, 23, 53, 54)

In 2016, the overall budget allocation for the Ministry of Population, Social Protection and the Promotion of Women increased to 0.4% of the national budget from the previous year.(45) During the reporting period, the Ministry worked with Child Protection Networks in five targeted regions (Diana, Atsimo Andrefana, Boeny, Atsinanana and Analamanga) to provide legal, social, and medical care to 9,949 child victims of violence and exploitation. Of these, 22 percent, or 2,170, were victims of child labor.(23) In addition, each of these five Child Protection Networks developed 3-year action plans to improve reintegration and enforcement efforts related to the worst forms of child labor.(23)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Committee on the Fight Against Child Labor (CNLTE)	Coordinate programs, advise on child labor legislation and regulations, and implement the National Action Plan to Eliminate the Worst Forms of Child Labor. Led by the Ministry of Civil Services and Labor.(23, 55, 56) In 2016, appointed 11 labor inspectors to support CNLTE activities and implemented awareness-raising campaigns on commercial sexual exploitation of children in the tourism sector.(23, 44)
Regional Child Labor Committees (CRLTE)	Coordinate, monitor, and evaluate all regional activities relating to the elimination of child labor. Comprises 10 regional committees that identify activities to promote the elimination of child labor and to compile, analyze, and report child labor data to PACTE.(23, 44, 55, 57) In 2016, the committee in the Sava region organized workshops to raise awareness of child labor issues among vanilla producers, and the committees in the Atsimo-Andrefana and Diana regions conducted trainings on commercial sexual exploitation of children.(4, 20, 23, 44)
National Bureau to Combat Human Trafficking	Coordinate human anti-trafficking efforts in Madagascar and responsible for implementing the National Action Plan to Combat Trafficking in Persons.(12, 33, 38, 58) Chaired by the Office of the Prime Minister and includes representatives from the Ministries of Civil Services and Labor; Justice; and Population and Social Affairs.(15, 31, 58) Met twice during 2016.(35)
National Child Protection Committee (CNPE)	Guide and coordinate national child protection policy and programs. Chaired by the Minister of Population and Social Affairs and comprises a steering committee and a technical commission of specialists.(7, 59) In 2016, launched a study to assess violence and exploitation of children in Madagascar to be released in 2017.(23, 45)

In 2016, the National Committee on the Fight Against Child Labor (CNLTE) did not receive funding and the Regional Child Labor Committees (CRLTE) and the National Bureau to Combat Human Trafficking lacked sufficient funding to effectively operate and coordinate efforts to address child labor, including its worst forms.(12, 23, 33, 35, 45)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[†]

Policy	Description
National Action Plan to Eliminate the Worst Forms of Child Labor (2004–2019)	Aims to eliminate the worst forms of child labor by strengthening child labor laws, conducting awareness-raising campaigns, mobilizing funds for social programs, and updating databases on child labor. Led by the CNLTE. (4, 26, 44, 55) In 2016, received \$35,000 to implement the final phase of the plan, which aims to consolidate efforts to effectively remove children from exploitative labor conditions.(44)
National Action Plan to Combat Trafficking in Persons (2015–2019)	Seeks to enhance the legal framework to prevent human trafficking, effectively implement human trafficking laws, and provide protection and care for victims. Overseen by the National Bureau to Combat Human Trafficking.(8, 15, 58, 60) Reports indicated that the Government did not provide sufficient funding to implement the plan in 2016.(12, 23, 45)
Code of Conduct for the Protection of Children in the Tourism Industry	Aims to prevent commercial sexual exploitation of children in the tourism industry. Implemented by the Ministry of Tourism and supported by the ILO and UNICEF.(23, 61–64) As of 2016, over 900 tourism companies signed the code of conduct, and eight regional action plans have been developed to implement the provisions of the code.(23, 45)

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Table 9. Key Policies Related to Child Labor[‡] (cont)

Policy	Description
National Social Protection Policy	Aims to protect children from abuse, violence, and exploitation and promotes improved access to education and livelihood services for vulnerable children. Led by the Ministry of Population, Social Protection and the Promotion of Women and supported by international donors.(33, 65-67) In 2016, implemented activities that benefitted over 500,000 individuals, mainly children.(68)
National Development Plan (2015–2019)	Aims to promote sustainable development and social equality. Overseen by the Ministry of Economy and Planning and supported by the ILO’s Decent Work Country Program.(33, 69, 70) Includes a budget of \$83,000 to specifically combat commercial sexual exploitation of children and child labor in domestic work, mining, quarrying, and other hazardous sectors. (8, 33, 69-71)

‡ The Government had other policies that may have addressed child labor issues or had an impact on child labor.(70, 72)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government of Madagascar funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. (Table 10)

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
Project Supporting Sustainable, Child Labor Free Vanilla-Growing Communities in Sava (2016 – 2020)*	USDOL-funded \$4 million project implemented by the ILO that aims to reduce child labor in the vanilla-producing areas of the Sava region.(73) The project will build the capacity of the Government to enforce child labor laws and policies; work with the vanilla industry to implement the Code of Conduct of Vanilla Producers; raise community awareness on child rights and child labor; and promote livelihood services for households in the region.(73) For additional information about USDOL’s work, please visit our Web site.
UNICEF Country Program (2015 – 2019)	\$197,815 UNICEF funded program that supports the Government’s efforts to improve education, health, nutrition, and protection for children in Madagascar.(74) In 2016, implemented projects to prevent violence and commercial sexual exploitation of children in the regions of Atsimo-Andrefana, Diana, Nosy Be, and Toliara; increase birth registration and school enrollment for the most vulnerable children; and improve the national database managed by the Ministry of Population, Social Protection and the Promotion of Women to gather data from nine regional child protection networks.(44, 74-78)
Social Support and Reintegration Centers [†]	Government program that provides social and reintegration services for victims of child labor, including its worst forms. Includes the <i>Manjary Soa</i> Center, the <i>Vonjy</i> Center in Antananarivo, and a newly opened center in Toamasina*.(12, 23, 45, 79, 80) In 2016, the <i>Manjary Soa</i> Center removed 35 children from exploitative child labor, and the <i>Vonjy</i> Center provided assistance to 667 child victims of commercial sexual exploitation.(23, 45)
Public Investment Program for Social Action [†]	\$34,700 Ministry of Civil Services and Labor program that supports school attendance and training for street children. In 2016, the project removed 40 children from the worst forms of child labor.(10, 44)
Education for All Program (2015–2019)	\$15 million Government of Norway-funded project that aims to improve the quality of, and access to, primary education and provide school feeding programs in the southern regions of Androy, Anosy, and Atsimo Andrefana. Led by the Ministry of Education.(44, 81, 82) In 2016, provided assistance to 10,193 schools reaching approximately 238,014 students.(44)

* Program was launched during the reporting period.

† Program is funded by the Government of Madagascar.

‡The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(83-87)

Research found that basic health and social services available to victims of the worst forms of child labor are not adequate to meet current needs.(4, 12, 23) Although Madagascar has programs that target child labor, the scope of these programs is insufficient to address the extent of the problem, particularly in agriculture, commercial sexual exploitation, domestic work, and mining.(4, 10, 44)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Madagascar (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the types of work that children perform in Madagascar that fall into an R.190 category, such as work underwater, are prohibited to children under 18.	2014–2016
Enforcement	Ensure that the number of labor inspectors conforms to the ILO recommendation of one for every 40,000 workers in less developed economies, which is approximately 325 labor inspectors for Madagascar.	2015 – 2016
	Ensure that labor and criminal law enforcement officials receive adequate funding and training to enforce child labor laws effectively, including in rural areas.	2009–2016
	Publish enforcement information related to child labor, including the worst forms of child labor, including on the number of labor and criminal inspections conducted, violations found, prosecutions initiated, and convictions.	2013–2016
	Ensure that existing databases function to gather enforcement data on child labor, including by providing adequate funding.	2009–2016
Coordination	Ensure that the CNLTE, CRLTE, and National Bureau to Combat Human Trafficking receive adequate funding to effectively operate and coordinate to fulfill their missions.	2014–2016
Government Policies	Ensure that appropriate funding exists to effectively implement the National Action Plan to Combat Trafficking in Persons.	2016
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including those in rural communities, by removing supplies and school-related fees, increasing school infrastructure and transportation services, hiring sufficient qualified teachers, and ensuring children’s safety in schools.	2011–2016
	Ensure that social protection systems have adequate funding and staff to provide appropriate services to victims of the worst forms of child labor.	2014–2016
	Expand the scope of programs to address child labor in agriculture and the worst forms of child labor in commercial sexual exploitation, domestic work, and mining.	2014–2016

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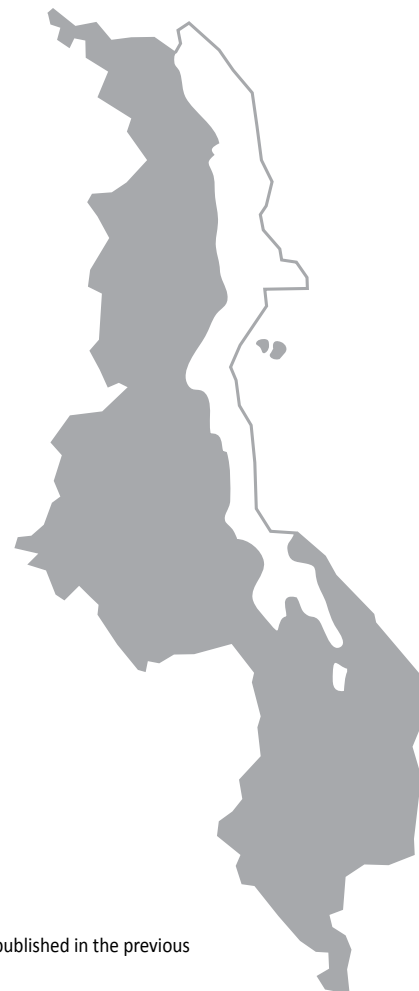
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Malawi

MODERATE ADVANCEMENT

In 2016, Malawi made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government expanded the Malawi Social Action Fund and other social programs to address child labor, particularly in the tobacco sector. The Government also hired and trained 21 new labor inspectors. However, children in Malawi continue to engage in the worst forms of child labor, including in the harvesting of tobacco and in commercial sexual exploitation. The Government has not finalized or fully implemented key legislation or policies protecting children from the worst forms of child labor, including the Child Labor Policy and the Child Protection Policy. In addition, gaps continue to exist in labor law enforcement related to child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Malawi engage in the worst forms of child labor, including in the harvesting of tobacco and in commercial sexual exploitation.(1) Table 1 provides key indicators on children's work and education in Malawi.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (%)	5 to 14	34.0
Attending School (%)	5 to 14	89.6
Combining Work and School (%)	7 to 14	39.1
Primary Completion Rate (%)		79.3

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(2)

Source for all other data: Understanding Children's Work Project's analysis of statistics from MICS 5 Survey, 2014.(3)

Data on working children, school attendance, and children combining work and school are not comparable with data published in the previous version of this report because of differences between surveys used to collect the data.

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Planting and harvesting tea, cotton, and sugar (4, 5)
	Planting and harvesting tobacco, clearing land, building tobacco-drying sheds, cutting and bundling, weeding, and plucking raw tobacco† (1, 6-12)
	Fishing (4, 13)
	Herding livestock (4, 14)
Industry	Quarrying,† mining,†collecting sand, and brickmaking (14-16)
	Construction,† activities unknown (15)
Services	Domestic work in third-party homes (10, 15)
	<i>Ganyu</i> (a form of casual labor) (17, 18)
	Begging† (19)
	Vending and wholesaling (10, 15, 20)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 10, 15, 19, 21)
	Herding goats and cattle; farming (predominantly tobacco); fishing; domestic work; and work in small businesses such as rest houses and bars, each sometimes as a result of human trafficking (10, 13, 16, 22-26)
	Forced begging (16, 22)
	Use in crimes (16, 17, 22)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.

Children in Malawi are engaged in hazardous work in the production of tobacco.(9, 15, 22) Children who handle tobacco risk illness from nicotine absorption, including green tobacco sickness.(9) They are also exposed to pesticides and chemicals.(6) Some children work alongside family members who are tenants on tobacco farms.(1) In the tenancy system, tenants' pay is based on the quantity and quality of tobacco sold to farm owners after the harvest season. Tenants must also pay off loans incurred during the growing season, and when some are unable to repay these debts, their entire families may be placed in debt bondage.(1, 27-29)

Most human trafficking of children for labor in Malawi is internal.(16, 22) Children, typically boys, are trafficked from southern Malawi to work on tobacco farms in Malawi's northern and central regions; they are also forced to work as cattle herders and in the brickmaking industry.(16, 22, 30, 31) Children also are trafficked from Malawi to Mozambique, South Africa, Tanzania, and Zambia, often for use as child labor in the fishing industry.(13, 26, 30, 32) Children who are trafficked may be charged for their clothing, food, housing, and transport. They may also be forced to work in debt bondage and be unable to return home or support themselves.(22)

Girls from rural areas are sometimes promised clothing and lodging from brothel owners. They are later coerced to engage in commercial sexual exploitation to pay off their debts.(16, 22, 30) Girls who work in rest houses or bars are often coerced to engage in commercial sexual exploitation for room and board.(1, 10)




Although primary education is free, considerable barriers to education exist, including families' inability to pay required school-related fees and expenses such as books and uniforms.(1, 10, 26, 33)

Children with family members with HIV/AIDS may assume responsibility as heads of their households and need to work to support their families. These children, especially those who are orphaned, are at increased risk of entering into the worst forms of child labor.(34, 35)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Malawi has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Malawi's legal framework to adequately protect children from the worst forms of child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	14	Section 21 of the Employment Act (36)
Minimum Age for Hazardous Work	Yes	18	Section 22 of the Employment Act; Section 23 of the Constitution (36-38)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Sections 1–9, and Paragraph 6, Sections 1–6 of the Employment (Prohibition of Hazardous Work for Children) Order (39)
Prohibition of Forced Labor	Yes		Section 4 of the Employment Act; Section 27 of the Constitution; Sections 140–147 and 257–269 of the Penal Code; Sections 79 and 82 of the Child Care, Protection and Justice Act; Section 15 of the Trafficking in Persons Act (36-38, 40, 41)
Prohibition of Child Trafficking	Yes		Sections 140–147 and 257–269 of the Penal Code; Section 79 of the Child Care, Protection and Justice Act; Section 15 of the Trafficking in Persons Act (38, 40, 41)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 137 and 138, 140, 142, 147, and 155 of the Penal Code; Sections 23 and 84 of the Child Care, Protection and Justice Act; Sections 15 and 20 of the Trafficking in Persons Act (38, 40, 41)
Prohibition of Using Children in Illicit Activities	Yes		Section 23 of the Child Care, Protection and Justice Act (38)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Section 19 of the Defense Force Act (42)
Non-State Compulsory	No		
Compulsory Education Age	Yes	18	Article 13 of the Education Act (33)
Free Public Education	Yes		Article 13 of the Education Act (33)

* No conscription (42)

Section 21 of the Employment Act sets the minimum age for employment at age 14 in agricultural, industrial, or nonindustrial work.(36) The minimum age is not extended to workers in third-party homes, such as in domestic work, or non-commercial agriculture in which children are known to work.(36, 43, 46) In addition, Malawi lacks a legal framework for the tenancy system used in tobacco production. This is of particular concern since children involved in the tenancy system can face debt bondage.(1, 27-29, 44) Although non-state armed groups are not known to recruit children for military activities in the country, Malawi law does not meet international standards because it does not expressly prohibit this practice.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MOL)	Perform inspections and investigate all labor complaints, including those related to child labor.(15) The Child Labor Unit (CLU) monitors and implements child labor law compliance through child labor monitoring visits.(47)
District Labor Offices	Enforce child labor laws at the district level.(15)
Ministry of Gender, Children, Disability and Social Welfare (MOG) Department of Child Development	Provide child protection and development services.(48)
Ministry of Home Affairs	Enforce human trafficking laws and prosecute human trafficking offenses.(32, 49)
Ministry of Justice and Constitutional Affairs	Prosecute criminal offenders.(50)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Malawi took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	120 (51)	141 (1)
Inspectorate Authorized to Assess Penalties	Yes	Yes (52)
Training for Labor Inspectors		
Initial Training for New Employees	N/A (51)	Yes (1)
Training on New Laws Related to Child Labor	No (51)	Unknown
Refresher Courses Provided	No (51)	Unknown
Number of Labor Inspections	116 (51)	Unknown
Number Conducted at Worksite	116 (51)	Unknown
Number Conducted by Desk Reviews	0 (51)	Unknown
Number of Child Labor Violations Found	148 (51)	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	142 (51)	Unknown
Number of Penalties Imposed that Were Collected	142 (51)	Unknown
Routine Inspections Conducted	No (51)	Unknown
Routine Inspections Targeted	No (51)	Unknown
Unannounced Inspections Permitted	Yes (51)	Yes (1)
Unannounced Inspections Conducted	Yes (51)	Unknown
Complaint Mechanism Exists	Yes (51)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (51)	Yes (1)

In 2016, the Ministry of Labor (MOL) recruited and trained 21 new labor inspectors. The MOL's Child Labor Unit (CLU) had one full-time employee based in Lilongwe, down from three previously.(1, 53) Each of Malawi's administrative districts employed a District Labor Officer (DLO), who was responsible for enforcing all labor laws including those related to child labor.(15, 19, 46) In previous years, the MOL reported an insufficient amount of funding to carry out the Ministry's child labor monitoring and prevention mandate, and research has not found that the MOL budget for these activities has increased.(19, 53) According to MOL officials, DLOs were limited in their ability to carry out monitoring and reporting due to budget and resource constraints, including a lack of transportation.(15, 19, 46, 54)

The Government supports a child protection helpline operated by an NGO that identifies cases of child sexual and labor exploitation.(22) Research did not find information on the number of calls related specifically to child labor.

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Malawi took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (51)	Yes (55)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (51)	Unknown
Refresher Courses Provided	Unknown (51)	Unknown
Number of Investigations	Unknown (51)	Unknown

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor (cont)

Overview of Criminal Law Enforcement	2015	2016
Number of Violations Found	Unknown (51)	Unknown
Number of Prosecutions Initiated	Unknown (51)	Unknown
Number of Convictions	Unknown (51)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (51)	Yes (1)

The Government has a referral process in place to transfer human trafficking victims detained by law enforcement authorities to service providers, although services remain limited.(56) The Government operates a social rehabilitation center providing assistance to several child trafficking victims in Lilongwe, but the quality of the facility has been reported to be very poor, leading law enforcement officers to regularly refer victims to civil society organization-run shelters.(30, 56) The Government operationalized a text messaging system for sending and analyzing trafficking information from district offices monthly.(55)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee on Child Labor	Provide policy guidance to support the elimination of child labor and implementation of the National Action Plan on Child Labour (NAP). Chaired by the Ministry of Agriculture, members include representatives from government ministries, trade unions, employers, development partners, and civil society organizations.(19, 31, 35)
National Technical Working Group on Child Labor and Protection	Oversee child protection issues. Includes representatives from the Government, international organizations, development partners, and NGOs, and is chaired by the MOG.(15, 19, 22) The Technical Working Group on Child Labor met three times during the reporting period.(53, 55)
District Child Protection Committees	Coordinate all child protection activities at the district level and improve local coordination on child protection issues. The Government is considering combining these committees with district orphan and vulnerable child committees and district committees on child rights.(19, 22)
National Coordination Committee against Trafficking in Persons*	In 2016, the Trafficking in Persons Act of 2015 required the creation of the committee. In November 2016 its membership list appeared in the Government of Malawi Gazette and the committee met for the first time on December 12, 2016.(1)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan on Child Labour for Malawi (2010–2016)	Assigns roles and responsibilities for each ministry in charge of implementing child labor policies, provides a comprehensive framework to reduce the worst forms of child labor, and proposes concrete activities to support policies that combat child labor.(57) In September 2016, an operational planning workshop was held to begin the process of revising the NAP.(58)
Child Protection Strategic Plan	Outlines the responsibilities of the MOL, Malawi Police Service, and MOG in coordinating efforts to combat child labor.(19)
National Action Plan for Vulnerable Children (2015–2019)	Provides a framework for the development of district implementation plans for assisting vulnerable children, including those vulnerable to child labor; coordinated by the MOG.(53, 59)
UN Development Assistance Framework (2012–2016)	Recognizes child labor as a common constraint to the creation of decent and productive employment. Proposes strategies to address child labor, including enforcement of existing labor laws and enactment of pending legislation and policies.(60, 61)
Malawi Growth and Development Strategy II (2011–2016)	Includes strategies to eliminate child labor, such as integrating child labor issues into development initiatives and interventions; highlights that poverty is the root cause of child labor.(15, 60) To ensure consistency across policies, the MOL is incorporating child labor into all the sectors of the Malawi Growth and Development Strategy II.(15, 62)

In 2016, research was unable to determine whether activities were undertaken to implement the key policies above. The draft National Child Labor Policy, which would provide the Government, civil society, and other partners with a framework to implement child labor prevention programs and activities, underwent national consultation that included circulation among ministries.(1, 15, 19, 53) The Government has not finalized or started implementing the Child Protection Policy, which outlines the Government's child protection strategy.(19, 53) The Government has not integrated child labor elimination and prevention strategies into either the National Youth Policy or the National Education Sector Plan.(63, 64)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
USDOL-Funded Projects	USDOL-funded research projects implemented by ILO to increase the knowledge base around child labor by collecting new data, analyzing existing data, and building capacity to conduct research in this area. These projects include the <u>Global Research on Child Labor Measurement and Policy Development (MAP)</u> (2013–2017) in 10 countries, including Malawi, and the <u>Global Action Program on Child Labor Issues Project</u> (2011–2016).(65–67) During the reporting period, the ILO and the National Statistical Office processed, analyzed, and drafted a report for the second National Child Labor Survey.(68) For additional information about USDOL's work, please visit our <u>Web site</u> .
Achieving Reduction of Child Labor in Support of Education II (2015–2018)	\$2 million Japan Tobacco International (JTI)-funded, 3-year project that provides strategies to promote economic empowerment, raise awareness of child labor, and provide education support.(69, 70)
Child Labor Monitoring System [†]	MOL system in pilot districts that identifies working children. Collects data on school attendance and other data points.(19)
National Social Cash Transfer Program [†]	MOG program that supports low-income families in high-risk districts to enable children to stay in school. (15, 48) In FY 2016, the Government maintained the program in 304,534 project participant households at an annual cost of \$68 million.(71) Research has shown a decrease in child labor rates as a result of participation in this program.(72, 73)
Complimentary Basic Education Program [†]	\$1.1 million Government-funded project that promotes school enrollment for children who are removed from child labor. To date, an estimated 11,000 children have graduated from this program.(53)
Malawi Decent Work Country Program (2011–2016)	ILO program that seeks the elimination of the worst forms of child labor and assists youth, women, and people with disabilities by creating additional income-generating opportunities.(60, 74)
Malawi Social Action Fund IV (2014–2019)	\$70 million, World Bank-funded, 5-year project that provides loans for community development and social support programs, including work opportunities, skill-building, and cash transfers.(19, 53) During the reporting period, the project budget was increased from \$32.8 million to \$70 million and extended an additional year to 2019.(1)
Orphans and Vulnerable Children Intervention	\$4.9 million President's Emergency Plan for AIDS Relief-funded program that, in partnership with MOG, provides vulnerable children from birth to age 17 with education, child protection services, birth registration, and shelter and care through the establishment of Community Based Care Centers.(75)
Girls Empowerment Programs [*]	USAID-funded and Save the Children-implemented projects that focus on reducing structural and cultural barriers to girls' access to education. These projects include Let Girls Learn (2016–2021) and Girls' Empowerment through Education and Health Activity (2014–2018) in Balaka and Machinga districts.(1, 75)
Birth Registration Program [†]	EU- and UNICEF-funded program that ensures nearly all health facilities in Lilongwe register children at birth and supports government electronic storage of birth data collected at the district level. The Government's National Registration Bureau initiated hospital birth registration in Zomba and Mulanje districts.(22) The U.S. Centers for Disease Control and Prevention (CDC) supported birth registration in Blantyre, Chitipa, and Ntcheu districts.(19) UNICEF supported birth registration in Lilongwe.(53)
National Registration and ID Program	\$50 million Government and UNDP-cofunded program aiming to register all Malawians older than 16 by the end of 2017.(52)

* Program was launched during the reporting period.

† Program is funded by the Government of Malawi.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(15, 32, 76)

Although Malawi has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem in all relevant sectors, including agriculture and commercial sexual exploitation.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Malawi (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including Its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all forms of children's work, including work conducted by children in private homes (domestic service) and on noncommercial farms, receive legal protection, including a minimum age for work that complies with international standards.	2009 – 2016
	Ensure legal protection for children working in the tenancy system.	2009 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
Enforcement	Publish information about the labor inspectorate's funding and information about the training system for labor inspectors.	2015 – 2016
	Publish information on the number of labor inspections conducted, including at worksites and by desk review, as well as the number of child labor violations that were found and the number of penalties that were imposed and collected.	2016
	Strengthen the labor inspectorate by initiating routine inspections rather than performing inspections solely based on complaints received.	2015 – 2016
	Increase resources to the CLU and district labor inspectors to conduct regular child labor inspections.	2009 – 2016
	Disaggregate data on child labor from child protection hotline calls and publish the information.	2014 – 2016
	Publish information on the training system for criminal law investigators and the number of investigations, violations, prosecutions, and convictions.	2013 – 2016
Government Policies	Ensure activities are undertaken to implement key policies related to child labor.	2016
	Finalize and implement the National Child Labor and Child Protection policies.	2009 – 2016
	Integrate child labor elimination and prevention strategies into the National Education Sector Plan and National Youth Policy.	2011 – 2016
Social Programs	Ensure that additional educational costs and the impact of HIV/AIDS do not serve as barriers to education.	2012 – 2016
	Increase the scope of existing social programs to reach more children at risk of the worst forms of child labor, and develop specific programs to target children in the agriculture sector and commercial sexual exploitation.	2011 – 2016

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In 2016, Maldives made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government launched a National Victim Support Hotline for victims of the worst forms of child labor, and the Labor Relations Authority trained all labor inspectors on investigating trafficking in persons cases. The Government also created a technical-level committee to advise the Anti-Human Trafficking National Steering Committee and monitor implementation of the National Anti-Human Trafficking National Action Plan. Although research is limited, there is evidence that children in Maldives are engaged in the worst forms of child labor in commercial sexual exploitation, including use in the production of pornography. The Government has not determined specific hazardous occupations or activities that are prohibited for children, and the law does not sufficiently prohibit commercial sexual exploitation of children. The Government does not have a coordinating mechanism or policy that addresses all relevant worst forms of child labor in the country.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Maldives engage in the worst forms of child labor in commercial sexual exploitation, including use in the production of pornography.(1-3) Table 1 provides key indicators on children’s work and education in Maldives.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	3.9 (2,364)
Attending School (%)	5 to 14	79.5
Combining Work and School (%)	7 to 14	4.0
Primary Completion Rate (%)		114.4

Source for primary completion rate: Data from 2009, published by UNESCO Institute for Statistics, 2016.(4)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Demographic and Health Survey, 2009.(5)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Services	Domestic work (1, 6)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 2)
	Use in the production of pornography (3)
	Use in the trafficking of drugs (3)
	Forced labor in domestic work, sometimes as a result of human trafficking (1, 2)

[‡] Child labor understood as the worst forms of child labor per se under Article 3(a)–(c) of ILO C. 182.

No current data are available on child labor in Maldives, and a national survey on child labor has not been conducted. Some girls from Bangladesh and Maldives are trafficked for commercial sexual exploitation to Malé, the capital of Maldives, but evidence of the problem is limited.(2)




II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Maldives has ratified all key international conventions concerning child labor (Table 3).

Maldives

MODERATE ADVANCEMENT

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Maldives' legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Section 6 of the Employment Act (7)
Minimum Age for Hazardous Work	Yes	18	Section 7 of the Employment Act (7)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Section 3 of the Employment Act; Sections 12–16 of the Prevention of Human Trafficking Act (7, 8)
Prohibition of Child Trafficking	Yes		Sections 12–15 of the Prevention of Human Trafficking Act (8)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 17–19 of the Special Provisions Act to Deal with Child Sex Abuse Offenders (9)
Prohibition of Using Children in Illicit Activities	Yes		Section 133(c)(1) of the Drugs Act (10)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Law on the Protection of the Rights of Children (3)
Non-state Compulsory	No		
Compulsory Education Age	Yes	16	Article 36(b) of the Constitution of the Republic of Maldives; Article 5(b) of the Law on the Protection of the Rights of Children (3, 11)
Free Public Education	Yes		Article 36(b) of the Constitution of the Republic of Maldives; Article 5(b) of the Law on the Protection of the Rights of Children (3, 11)

* No conscription (12)

Maldives has not determined by national law or regulation the types of hazardous work prohibited for children. The law does not sufficiently prohibit commercial sexual exploitation, as procuring children for prostitution is not criminally prohibited. The law also does not criminally prohibit using, procuring, and offering children for pornographic performances.⁽⁹⁾ In addition, the recruitment of children by non-state armed groups is not prohibited.

Research did not uncover a public version of the 2014 amendment to the Law on the Protection of the Rights of Children for review.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Labor Relations Authority, Ministry of Economic Development (MED)	Enforce the child labor provisions of the Employment Act. Make recommendations to the MED on penalties, such as fines.(3)
Family and Child Protection Department, Maldives Police Service (MPS)	Investigate complaints of child labor and commercial sexual exploitation. Refer cases to the Prosecutor General's Office for prosecution and the Ministry of Gender and Family to provide victim services.(3) Employs eight officers in Malé to investigate child labor cases, including child commercial sexual exploitation and child pornography cases.(3)
Family Child Protection Services (FCPS), Ministry of Gender and Family	Receive referrals of children who have been exploited, including in child commercial sexual exploitation, and provide care for such victims.(3)
Anti-Human Trafficking Units, MPS	Investigate human trafficking-related offenses and enforce laws prohibiting trafficking in persons. Employs five officers to investigate human trafficking cases.(3)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Maldives took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown (3)
Number of Labor Inspectors	Unknown	9 (3)
Inspectorate Authorized to Assess Penalties	Unknown	No (3)
Training for Labor Inspectors		
Initial Training for New Employees	No (13)	Unknown
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (13)	Yes (3)
Number of Labor Inspections	Unknown	264 (3)
Number Conducted at Worksite	Unknown	264 (3)
Number Conducted by Desk Reviews	Unknown	0 (3)
Number of Child Labor Violations Found	Unknown	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown
Number of Penalties Imposed that Were Collected	Unknown	Unknown
Routine Inspections Conducted	Unknown	Yes (3)
Routine Inspections Targeted	Unknown	Unknown (3)
Unannounced Inspections Permitted	Unknown	Yes (3)
Unannounced Inspections Conducted	Unknown	Yes (3)
Complaint Mechanism Exists	Unknown	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	No (3)

The number of labor inspectors is insufficient for the size of Maldives' workforce, which includes more than 195,100 workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Maldives should employ roughly 13 inspectors.(14-16) The Labor Relations Authority lacks the resources, including staff, necessary to enforce child labor laws. Inspectors have not received training on the identification and remediation of child labor.(3, 17)

In 2016, the Labor Relations Authority, in partnership with the IOM, trained all labor inspectors on investigating trafficking in persons cases.(3)

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Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Maldives took actions to combat child labor, including its worst forms (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Labor Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (18)	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (18)	Yes (3)
Number of Investigations	Unknown	10 (3)
Number of Violations Found	Unknown	Unknown (3)
Number of Prosecutions Initiated	Unknown	1 (3)
Number of Convictions	Unknown	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (19)	Yes (3)

In 2016, the Prosecutor General’s Office participated in a training on the commercial sexual exploitation of children conducted by the Maldives Police Service (MPS). There were 235 officials from various law enforcement agencies, including the MPS and the Labor Relations Authority, who received training on human trafficking by the IOM.(3)

Investigators have insufficient funding and resources, such as office facilities and transportation.(19) Police and other officials also have inadequate training on procedures for identifying human trafficking victims and providing referrals to protective services, including for children.(2, 20) In addition, the MPS lacked the capacity to pursue child trafficking investigations.(18)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established a coordination mechanism on human trafficking, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Anti-Human Trafficking National Steering Committee	Coordinate anti-human-trafficking activities and implement the country’s National Anti-Human Trafficking National Action Plan under MED leadership and 11 participating government agencies.(8, 19)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Anti-Human Trafficking Action Plan (2015–2019)	Sets out the Government’s goals to combat human trafficking, including establishing institutions, coordinating activities, raising awareness, and building capacity.(21)

Although the Government of Maldives has adopted the National Anti-Human Trafficking Action Plan, research found no evidence of a policy to address the worst forms of child labor.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
FCPS Shelters and Rehabilitation Centers†	Ministry of Law and Gender-operated centers on many of the country’s islands, which provide services such as temporary shelter, vocational training, and rehabilitation and counseling for children in need, which could include children rescued from abusive work situations.(22, 23)
National Victim Support Hotline (Number 1696)*†	Ministry of Economic Development-operated hotline dedicated to receiving reports of human trafficking and child labor. Supported by the Maldives Police Service and Maldives Immigration.(24)

* Program was launched during the reporting period.

† Program is funded by the Government of Maldives.

Existing social programs do not specifically address the worst forms of child labor, including the commercial sexual exploitation of children, use of children in the production of pornography, use of children for drug trafficking, and forced labor in domestic work. Family Child Protection Services Shelters and Rehabilitation Centers lack adequate financial and human resources, and staff are inadequately trained to deal with cases involving abused and exploited children.(3)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Maldives (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Determine the types of hazardous work prohibited for children, in consultation with employers’ and workers’ organizations.	2009 – 2016
	Criminally prohibit all forms of commercial sexual exploitation of children, including procuring children for prostitution and procuring, offering, and using children for pornographic performances.	2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Publish the 2014 amendment to the Law on the Protection of the Rights of Children.	2016
Enforcement	Collect and publish information on labor law enforcement, including child labor law violations, and the number of violations and convictions involving criminal law enforcement of the worst forms of child labor.	2013 – 2016
	Authorize the inspectorate to assess penalties.	2016
	Ensure that the labor inspectorate receives training that specifically focuses on child labor issues.	2009 – 2016
	Establish a referral mechanism between labor authorities and social services.	2016
	Hire a sufficient number of labor inspectors for the size of Maldives’ workforce.	2016
	Provide sufficient funding and training to the police and prosecutors, to ensure that investigators have the resources necessary to enforce laws on the worst forms of child labor.	2013 – 2016
Coordination	Establish a coordination mechanism to combat child labor.	2009 – 2016
Government Policies	Adopt a policy to address the worst forms of child labor.	2014 – 2016
Social Programs	Conduct a national child labor survey and publish the results.	2014 – 2016
	Conduct and publish research on the worst forms of child labor, including commercial sexual exploitation and trafficking of children.	2009 – 2016
	Implement and provide sufficient resources for programs that address the worst forms of child labor, including the commercial sexual exploitation of children, use of children in the production of pornography, the use of children for drug trafficking, and forced labor in domestic work.	2009 – 2016

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5. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Original data from Demographic and Health Survey, 2009 Analysis received December 15, 2016. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children’s work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
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16. UN. *World Economic Situation and Prospects 2012 Statistical Annex*. New York; 2012. http://www.un.org/en/development/desa/policy/wesp/wesp_current/2012country_class.pdf. For analytical purposes, the Development Policy and Analysis Division (DPAD) of the Department of Economic and Social Affairs of the United Nations Secretariat (UN/DESA) classifies all countries of the world into one of three broad categories: developed economies, economies in transition, and developing countries. The composition of these groupings is intended to reflect basic economic country conditions. Several countries (in particular the economies in transition) have characteristics that could place them in more than one category; however, for purposes of analysis, the groupings have been made mutually exclusive. The list of the least developed countries is decided upon by the United Nations Economic and Social Council and, ultimately, by the General Assembly, on the basis of recommendations made by the Committee for Development Policy. The basic criteria for inclusion require that certain thresholds be met with regard to per capita GNI, a human assets index and an economic vulnerability index. For the purposes of the Findings on the Worst Forms of Child Labor Report, “developed economies” equate to the ILO’s classification of “industrial market economies,” “economies in transition” to “transition economies,” “developing countries” to “industrializing economies,” and “the least developed countries” equates to “less developed countries.” For countries that appear on both “developing countries” and “least developed countries” lists, they will be considered “least developed countries” for the purpose of calculating a “sufficient number” of labor inspectors.
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In 2016, Mali made a significant advancement in efforts to eliminate the worst forms of child labor. The Government ratified the ILO Protocol of 2014 to the Forced Labor Convention, drafted a law that increases the minimum age for work to 15, and obtained its first conviction for child trafficking under the 2012 Trafficking in Persons Law. The National Unit to Fight Against Child Labor also drafted an amendment to the Hazardous Occupations List and conducted activities to raise awareness of child labor in the mining sector. In addition, the Government launched a National Strategic Education Sector Plan and participated in a number of programs targeting the worst forms of child labor, including a new program to support the implementation of the National Plan to Combat Child Labor. However, children in Mali perform dangerous tasks in agriculture, particularly in the production of cotton and rice. Children also engage in the worst forms of child labor, including in gold mining and in armed conflict. Laws related to the worst forms of child labor are insufficient, and gaps in enforcement have left children unprotected, especially in northern Mali.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mali perform dangerous tasks in agriculture, particularly in the production of cotton and rice.(1-4) Children also engage in the worst forms of child labor, including in gold mining and in armed conflict.(2, 4-13) Table 1 provides key indicators on children's work and education in Mali.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	25.1 (1,216,300)
Attending School (%)	5 to 14	46.0
Combining Work and School (%)	7 to 14	13.4
Primary Completion Rate (%)		50.9

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(14)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Demographic and Health Survey, 2012–2013.(15)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Cultivating, † harvesting, † ginning, † transporting, † and applying chemical fertilizers, † particularly in the production of rice and cotton (1-4, 16, 17)
	Raising livestock, including oxen and small ruminants (3, 5, 18, 19)
	Fishing (3, 5)
Industry	Gold mining, † including digging shafts, † extracting ore from underground tunnels, † crushing ore, † and amalgamating ore with mercury † (2, 6-9, 20)
	Assembling fishing canoes † (3)
Services	Domestic work (2, 4, 21-23)
	Street work, including as market vendors, beggars, † and in the transportation sector (2, 3, 17, 23)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [‡]	Forced labor in mining, domestic work, commerce, and farming, including in the production of rice, each sometimes as a result of human trafficking (10, 21, 24, 25)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2, 10, 26, 27)
	Forced recruitment by armed rebel and extremist Islamic militia groups for use in armed conflict (2, 4, 10-13)
	Hereditary servitude (4, 10, 23, 25, 28)
	Forced labor in the production of salt (4, 10)
	Forced begging by Koranic teachers, sometimes as a result of human trafficking (2, 9, 10)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Children, especially of the Bellah community (also known as black Tuaregs), who were former slaves, are subject to hereditary slavery in northern Mali.(10, 23, 25, 28) In addition, children, particularly those of Songhai ethnicity, work in debt bondage in the northern salt mines of Taoudenni.(4, 10) Some boys placed in the care of Koranic teachers for education are forced by their teachers to beg on the street or to work in fields; they must then surrender the money they have earned to their teachers.(4, 9, 10)

Intermittent fighting and violence in northern Mali continued throughout 2016, resulting in the killing and displacement of children.(4) Although the incidence of child soldiers decreased during the reporting period, children continued to be forcibly recruited and trained by non-state armed groups, including the Coordination of Azawad Movements (CMA), the National Movement for the Liberation of Azawad (MNLA), the High Council for the Unity of Azawad (HCUA), the Arab Movement of Azawad (MAA), and the Allies Tuareg Self-Defense Group (GATIA), all signatories of the 2015 Peace Accord.(2, 4, 13, 29, 30) Research found limited evidence of ties between the Government and GATIA, a non-state armed group headed by a Malian general, including the provision of some in-kind support to GATIA. (4, 10, 30-34) The UN verified that at least nine children were associated with GATIA in the Kidal region and 76 children were recruited during the reporting period.(4, 10, 30, 32-34)

Although the Constitution guarantees free and compulsory education, many children, especially girls, do not attend school because parents are expected to pay fees for registration, uniforms, books, and materials, costs which are prohibitive for many families.(2, 4, 23, 35, 36) Many children in Mali are not registered at birth. Unable to prove citizenship, unregistered children may have difficulty accessing services, including education.(4, 30, 37) In addition, evidence suggests that incidences of physical, psychological, and sexual abuse, including corporal punishment, prevent some children from remaining in school.(4, 23, 38). During the reporting period, there were numerous incidents of attacks on schools in northern Mali that resulted in lootings, destruction of learning materials and infrastructure, and military occupancy.(13, 29) Many teachers and students remain displaced and some teachers in insecure areas felt that it was unsafe to return to school.(2, 4, 23, 39) The lack of access to education may increase the risk of children’s involvement in the worst forms of child labor.

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Mali has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor




Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓

Table 3. Ratification of International Conventions on Child Labor (cont)

Convention	Ratification
 Palermo Protocol on Trafficking in Persons	✓

In April 2016, the Government of Mali ratified the ILO Protocol of 2014 to the Forced Labor Convention.(40)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Mali's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	14	Article L.187 of the Labor Code (41)
Minimum Age for Hazardous Work	Yes	18	Hazardous Occupations List; Article D.189.14 of the Labor Code (41, 42)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Occupations List; Article 189 of the Labor Code (41, 42)
Prohibition of Forced Labor	Yes		Article L.6 of the Labor Code; Article 1 of the Trafficking in Persons Law (41, 43)
Prohibition of Child Trafficking	Yes		Article 244 of the Penal Code; Article 7 of the Trafficking in Persons Law; Article 63 of the Child Protection Code (43-45)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 228 of the Penal Code; Article 1 of the Trafficking in Persons Law; Article 57 of the Child Protection Code (43-45)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Article 17 of the Child Protection Code; Articles 31.23 and 31.31 of the Penal Code (44, 45)
State Voluntary	Yes	18	Article 17 of the Child Protection Code; Articles 31.23 and 31.31 of the Penal Code (44-46)
Non-state Compulsory	No	15	Articles 31.23, 31.31, and 32 of the Penal Code (44)
Compulsory Education Age	Yes	15 [‡]	Articles 26 and 34 of the Law of Education (47)
Free Public Education	Yes		Article 18 of the Constitution (48)

[‡] Age calculated based on available information.(44)

The Labor Code allows children between the ages of 12 and 14 to perform domestic or light seasonal work, as long as it does not impede school attendance and it does not exceed four and a half hours of work per day.(41) However, the law does not specify the conditions under which light work may be undertaken.(49) The minimum age for work is not in compliance with international standards because it is less than 15.(39, 41) Although Mali's Hazardous Occupations List prohibits certain activities for children under age 18, Decree 96-178 from June 1996, which remains in force, permits children ages 16 to 17 to perform certain hazardous activities. The decree conflicts with the protections provided in the Hazardous Occupations List, leaving the possibility for children to work in hazardous activities.(39, 42, 49) Moreover, Malian law does not prohibit using, procuring, or offering a child for the production and trafficking of drugs.(27, 45) In 2016, the Government drafted a law that increases the minimum age for work to 15, aligns Decree 96-178 with the Hazardous Occupations List, and prohibits the use, procurement, and offering of a child for the production and trafficking of drugs. However, the legislation was not adopted during the reporting period.(2, 39, 50)

The Child Protection Code provides protection for children under age 18, while the Penal Code establishes criminal penalties for several of the worst forms of child labor.(44, 45) For example, Articles 50 and 58 of the Child Protection Code identify begging as a form of economic exploitation of children, while Article 183 of the Penal Code specifies punishments

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for engaging a child in begging.(9) However, the Penal Code does not provide penalties for some of the prohibitions enumerated in the Child Protection Code.(44, 45) Specifically, Article 17 of the Child Protection Code prohibits children under age 18 from participating in armed conflicts or joining the armed forces, yet Articles 31.23 and 31.31 of the Penal Code provide criminal penalties only for those recruiting and enlisting children under age 15.(44-46)

The Inter-Ministerial Circular (Circular) references Article 28 of the Penal Code, which states that crimes committed out of self-defense or under a force that could not be resisted should not be penalized as prescribed by the Penal Code. Although the Circular states that Article 28 of the Penal Code is applicable to children involved in armed conflict, it does not define the age range of the children it covers.(44, 51) Considering the nonexistence of criminal penalties in the Child Protection Code and the lack of criminal penalties in the Penal Code for those who recruit and enlist children ages 15 and older, the absence of a defined age range in this Circular may leave children ages 15 to 17 unprotected.(51)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor	Enforce labor laws and investigate Labor Code infractions, including those regarding child labor, through its National Directorate of Labor.(2, 4, 52)
Ministry of Justice	Initiate and coordinate with courts the implementation of laws related to the worst forms of child labor.(2, 10)
Ministry of Internal Security	Investigate crimes against children, including human trafficking and commercial sexual exploitation, through the National Police Brigade for the Protection of Morals and Children.(2, 4, 10)
Ministry for the Promotion of Women, Children, and the Family (MPFEF)	Develop and implement programs to protect vulnerable children and monitor alleged violations of child labor laws, including those related to the worst forms of child labor.(2, 35, 52)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Mali took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$48,000 (16)	\$48,000 (2)
Number of Labor Inspectors	60 (16)	100 (2)
Number of Child Labor Dedicated Inspectors	Unknown (16)	13 (2)
Inspectorate Authorized to Assess Penalties	Yes (16)	Yes (2)
Training for Labor Inspectors		
Initial Training for New Employees	No (16)	Yes (30)
Training on New Laws Related to Child Labor	Unknown (16)	N/A
Refresher Courses Provided	Yes (16)	Yes (2)
Number of Labor Inspections	Unknown (16)	Unknown (2)
Number Conducted at Worksite	Unknown (16)	Unknown (2)
Number Conducted by Desk Reviews	Unknown (16)	Unknown (2)
Number of Child Labor Violations Found	Unknown (16)	Unknown (2)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (16)	Unknown (2)
Number of Penalties Imposed That Were Collected	Unknown (16)	Unknown (2)
Routine Inspections Conducted	Yes (16)	Yes (2)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Routine Inspections Targeted	Yes (16)	Yes (2)
Unannounced Inspections Permitted	Yes (16)	Yes (2)
Unannounced Inspections Conducted	Yes (16)	Yes (2)
Complaint Mechanism Exists	Yes (16)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (16)	Yes (2)

In 2016, the National Directorate of Labor employed 60 full-time labor inspectors and 40 full-time labor controllers, of which 3 inspectors and 10 controllers are dedicated to child labor.(2) Despite increasing the number of inspectors by 40 in 2016, the number of labor inspectors remains insufficient for the size of Mali's workforce, which includes more than 6 million workers. According to the ILO's recommendation of one inspector for every 40,000 workers in less developed countries, Mali should employ roughly 157 inspectors.(16, 53-55) During the reporting period, 24 labor inspectors received training on conducting labor inspections in the informal sector. One labor inspector in each region is designated as the point of contact for the National Unit for the Fight Against Child Labor.(2) Research shows that despite decentralization efforts, funds are rarely allocated to inspectorate regional offices.(2) In addition, reports indicate that a lack of trained staff, equipment, transportation, and funding hampered the Labor Inspectorate's ability to conduct effective child labor inspections and legal proceedings, especially in remote areas of northern Mali.(2, 4, 10, 39)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Mali took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown (16)	Unknown (2)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (16)	Unknown (2)
Refresher Courses Provided	Yes (16)	Yes (2)
Number of Investigations	Unknown (16)	Unknown (2)
Number of Violations Found	Unknown (16)	Unknown (2)
Number of Prosecutions Initiated	Unknown (16)	Unknown (2)
Number of Convictions	Unknown (16)	Unknown (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (16)	Yes (2)

In 2016, the Ministry of Security Morals Brigade employed 28 staff, including 2 captains, 7 investigators, and 18 officers.(2) Given the prevalence of the worst forms of child labor in the country, the number of criminal law enforcement agents is inadequate.(2, 16) Although the total number of investigations conducted during the reporting period is unknown, the Morals Brigade investigated one case of child trafficking and 13 cases of commercial sexual exploitation. Also, the Government achieved its first conviction for child trafficking under the 2012 Trafficking in Persons Law in December 2016.(30, 56) Despite these efforts, there is a lack of trained staff, equipment, transportation, and funding to effectively conduct criminal law enforcement efforts related to the worst forms of child labor. Reports indicate that because of political instability, which hinders law and judicial enforcement in northern Mali, the prevalence of hereditary slavery has worsened since the conflict began in 2012.(4, 57) In addition, evidence does not show that meaningful efforts were made by criminal law enforcement authorities to address the use of children in mining and forced begging.(2, 10)

Mali maintains an informal referral mechanism among NGOs, UN bodies, the police, and the Government to withdraw and provide social services to victims of the worst forms of child labor.(2, 10) During the reporting period, the Malian military transferred nine children associated with armed groups to the Ministry for the Promotion of Women, Children, and the Family (MPFEF), which provided medical and psychosocial support, and ultimately reunified them with their

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families.(2, 29) Despite these efforts, reports indicate that resources and facilities available to social services agencies are inadequate.(2, 4)

In 2016, Malian and international security detained individuals suspected of involvement with armed groups, including five children.(30) These children were held in state-owned adult detention centers and were not transferred to social services as required by the Inter-Ministerial Circular and the UN-signed Protocol.(4, 29, 30, 51) In addition, research found no indication that the Government either investigated or prosecuted individuals alleged to have recruited and used child soldiers.

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Unit to Fight Against Child Labor (CNLTE)	Coordinate Mali's efforts to eliminate child labor, especially its worst forms. Chaired by the Ministry of Labor.(27, 36, 58, 59) In 2016, drafted the legal amendment to the Hazardous Occupations List and conducted awareness campaigns about child labor in the mining sector.(2, 36)
National Coordinating Committee for the Fight Against Trafficking in Persons and Associated Practices	Coordinate government efforts to combat human trafficking. Chaired by the Ministry of Justice and includes various government agencies and civil society groups.(10, 60, 61) In 2016, met to implement activities under the National Action Plan to Combat Trafficking in Persons.(10, 60)
Inter-Ministerial Committee to Prevent Grave Violations Against Children	Conduct awareness-raising campaigns to prevent the recruitment and use of children in armed conflict and implement reintegration programs for former child soldiers. Led by the MPFEF.(2, 62) Conduct joint missions with international partners to determine the presence of children in armed conflict.(2, 62)
Artisanal Gold Mining Summit Committee	Comprises gold mining associations and local government officials that monitor the recommendations of a 2014 summit on artisanal mining, including the ban on child labor in artisanal gold mines. In 2016, met twice to develop measures that address the use of children in the gold mining sector.(4, 63, 64)

Reports indicate that there is confusion with regard to roles and a lack of coordination between the National Unit to Fight Against Child Labor (CNLTE) and the National Coordinating Committee for the Fight Against Trafficking in Persons and Associated Practices.(60) In addition, budget constraints hampered the effectiveness of the CNLTE as a whole.(2) There was no evidence that the Inter-Ministerial Committee to Prevent Grave Violations Against Children conducted meetings, took action to implement awareness-raising campaigns, or conducted joint missions to determine the presence of child labor in self-defense militias during the reporting period.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[†]

Policy	Description
National Plan to Combat Child Labor (PANETEM) (2011–2020)	Aims to eliminate the worst forms of child labor by strengthening child labor laws, training relevant government officials, and mobilizing funds for social programs to withdraw children from child labor. Overseen by the CNLTE.(3, 39, 64) In 2016, contributed to drafting a legal amendment that increases the minimum age for work to 15, revises the Hazardous Occupations List, and prohibits the use of children in illicit activities.(2, 39, 50) Reports indicate that efforts to implement PANETEM have been slowed due to insufficient allocation of resources.(2, 23, 65)
Roadmap to Combat Child Labor in Agriculture (2015–2020)	Seeks to enhance the legal framework and build the capacity of the Government to prevent child labor in agriculture. Led by the Ministry of Agriculture and supported by the Food and Agriculture Organization of the United Nations.(64–68) In 2016, implemented capacity-building workshops for farmer organizations in the Ségou region on combatting child labor.(68, 69)

Table 9. Key Policies Related to Child Labor[†] (cont)

Policy	Description
National Action Plan to Combat Trafficking in Persons and Associated Practices (2015–2017)	Aims to enhance the legal framework to prevent human trafficking, effectively implement the laws, and provide effective protection and care for victims. Led by the National Coordinating Committee for the Fight Against Trafficking in Persons and Associated Practices.(10, 70). In 2016, received its first ever budget, \$730,000, to implement activities for victims assistance.(10, 60)
Inter-Ministerial Circular	Provides a framework for the prevention, protection, and reintegration of children involved in armed conflict. (51, 62, 71) In 2016, distributed copies of the circular to all regions in Mali and trained relevant actors.(2)
Protocol on the Release and Transfer of Children Associated with Armed Groups and Armed Forces	UN-signed protocol agreement that highlights the responsibility of the Government to transfer children associated with armed groups to either social services or UNICEF.(72) In 2016, trained child protection actors in northern Mali on best practices for referrals of former child soldiers.(2)
National Strategic Education Sector Plan (PRODEC II) (2017–2026) [†]	Sets out a comprehensive map to improve the quality of and access to basic and secondary education, especially in conflict-affected areas of northern Mali. Led by the Ministry of Education and supported by international donors.(2, 39, 73)

[†] Policy was approved during the reporting period.

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(74, 75)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
<u>Global Action Program on Child Labor Issues</u> (2011–2016)	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016, established by The Hague Global Child Labor Conference in 2010. Aims to build the capacity of the national government and develop strategic policies to address the elimination of child labor and forced labor in Mali.(76) During 2016, supported activities under the Roadmap to Combat Child Labor in Agriculture.(67) For additional information about USDOL's work, please visit our Web site .
South-South Cooperation for the promotion of decent work in cotton-producing countries (2015–2019)	\$6.2 million Government of Brazil-funded project that aims to improve working conditions in the cotton sector, including by combatting child labor.(77, 78)
Decent Work Country Program (2016–2018)*	Identifies two objectives of decent work: (1) to create jobs and guarantee rights at work for vulnerable populations, and (2) extend social protection and promote social dialog.(64) Includes activities that support the implementation of PANETEM. Overseen by the Ministry of Labor and supported by the ILO.(64)
Stop Child Labor: School is the best place to work (2012–2017) [†]	Government initiative aims to eliminate child labor by increasing access to primary education. Implemented by the Ministries of Labor and Education.(39)
USAID Country Program* (2016–2020)	\$600 million USAID-funded program that supports the Government's efforts to improve education, food security, and health, and to provide humanitarian assistance in crisis areas. Includes projects that provide quality basic and secondary education to vulnerable communities in northern Mali, including by building schools, training teachers, and providing school kits for students.(2, 79)
UNICEF Country Program (2014–2017)	UNICEF-funded program that supports the Government's efforts to improve education, birth registration rates, social inclusion, and strengthen child protection programs, including for children in conflict-affected areas of northern Mali.(80) In 2016, provided reintegration services to 2,436 children at risk of exploitation, including those formerly associated with armed groups, and education services to 157,873 children in crisis-affected areas.(80, 81)
National Disarmament, Demobilization, and Reintegration (DDR) Program*	\$25 million UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA)-implemented program that aims to provide reintegration services to former combatants in Mali, including children.(29)

* Program was launched during the reporting period.

[†] Program is funded by the Government of Mali.

Although Mali participates in some programs to reduce the worst forms of child labor, these programs are insufficient to fully address the scope of the problem, especially in artisanal gold mining. In addition, Mali does not fund or participate in programs to address child labor in domestic work, fishing, forced begging, commercial sexual exploitation, slavery, or debt bondage.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Mali (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws prohibit children from being used, procured, or offered for the production and trafficking of drugs.	2009 – 2016
	Ensure that the Labor Code's light work provisions are sufficiently specific to prevent children from involvement in child labor.	2015 – 2016
	Establish minimum age for work of at least 15 years.	2016
	Ensure that Decree 96-178 aligns with the Hazardous Occupations List.	2009 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 into non-state armed groups.	2016
	Enact laws to provide penalties for violations of the worst forms of child labor, including for use of children under age 18 in armed conflict.	2009 – 2016
	Specify the ages of children protected by the Inter-Ministerial Circular on the Prevention, Protection, and Reintegration of Children in Armed Conflict and ensure that the defined age range complies with international standards.	2013 – 2016
	Enforcement	Publish complete information on the number and type of labor inspections, violations, and penalties related to child labor, and the number of criminal law investigations, violations, prosecutions, and convictions related to the worst forms of child labor.
Increase the resources, training, and number of labor inspectors, in accordance with ILO's recommendation, and the number of criminal investigators and regional offices responsible for enforcing laws related to child labor to provide adequate coverage of the workforce.		2012 – 2016
Take measures to effectively enforce laws related to child labor, particularly in northern Mali.		2013 – 2016
Increase efforts to ensure that perpetrators of the worst forms of child labor, including the use of child soldiers, hereditary slavery, mining, and forced begging, are prosecuted in accordance with the law.		2012 – 2016
Ensure that government social services have sufficient resources and facilities to provide the necessary care for victims of the worst forms of child labor.		2016
Implement the provisions of the Inter-Ministerial Circular and the UN-signed Protocol, which require that children in detention for their association with armed groups be handed over to social services or to UN child protection actors for appropriate reintegration and social protection services.		2013 – 2016
Coordination		Streamline coordination across government agencies, including by ensuring effective coordination among the CNLTE, the National Coordinating Committee for the Fight Against Trafficking in Persons and Associated Practices, and other overlapping agencies.
	Ensure that the CNLTE has appropriate funding to implement the National Plan to Combat Child Labor.	2012 – 2016
	Ensure that the Inter-Ministerial Committee to Prevent Grave Violations Against Children meets regularly and takes action to fulfill its mission.	2013 – 2016
Government Policies	Ensure that appropriate funding exists to effectively implement the National Plan to Combat Child Labor.	2012 – 2016
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including girls and those living in conflict-affected areas, by removing supply and school-related fees, increasing school infrastructure, teacher availability, and the provision of school supplies, increasing birth registration rates to ensure that children have access to services such as education, as well as taking measures to ensure the safety of children and teachers in schools.	2010 – 2016
	Expand existing programs to fully address child labor, especially in artisanal gold mining.	2014 – 2016
	Institute programs to address child labor in domestic work, fishing, forced begging, commercial sexual exploitation, slavery, and debt bondage.	2009 – 2016

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Mauritania

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY THAT DELAYED ADVANCEMENT

In 2016, Mauritania made a minimal advancement in efforts to eliminate the worst forms of child labor. During the year, the Government of Mauritania ratified the ILO Protocol of 2014 to the Forced Labor Convention and established three regional Anti-Slavery Courts, resulting in the country's second ever slavery conviction. The Government also funded and participated in multiple programs that include the goal of eliminating or preventing child labor, including programs that provide social protection services to vulnerable children and combat forced labor of adults and children. However, Mauritania is receiving this assessment because it continued to implement a regression in policy that delayed advancement in eliminating the worst forms of child labor. Since 2011, the Government of Mauritania has required proof of marriage and biological parents' citizenship in order to get a birth certificate. As a result, children born out of wedlock and many Haratine and sub-Saharan ethnic minority children have been prevented from being registered at birth. As birth certificates are required to enroll in secondary school in Mauritania, children as young as 12 cannot access education, making them more vulnerable to the worst forms of child labor. Children in Mauritania perform dangerous tasks in agriculture, particularly in herding cattle and goats. Children also engage in the worst forms of child labor, including in indentured and hereditary slavery. Other gaps remain, which include the lack of legal prohibitions for the use, procurement, and offering of children for the production and trafficking of drugs and limited resources for the systematic enforcement of child labor laws. In addition, the Government continued to imprison and physically mistreat anti-slavery protestors during the year.



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I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mauritania perform dangerous tasks in agriculture, particularly in herding cattle and goats.(1-6) Children also engage in the worst forms of child labor, including in indentured and hereditary slavery.(2, 7-10) Table 1 provides key indicators on children's work and education in Mauritania.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	12.5 (131,552)
Attending School (%)	5 to 14	53.5
Combining Work and School (%)	7 to 14	8.2
Primary Completion Rate (%)		68.3

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(11)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4 (MICS 4), 2011.(12)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Agriculture	Production of beans, rice, and millet (6, 13, 14)
	Herding and caring for cattle, goats, sheep, and camels (1-6)
	Fishing and processing fish (2-5, 14)
Industry	Crushing gravel (5)
Services	Domestic work† (1-4, 6, 7, 15)
	Working as car mechanics, painters, and carpenters (2-4, 6, 14)
	Garbage scavenging (2, 4, 14)
	Street work, including as market vendors, shoe shiners, beggars,† and in the transportation sector (2-6, 8, 14)
Categorical Worst Forms of Child Labor‡	Forced begging as a result of criminal gang recruitment and by Koranic teachers (2, 3, 5, 9, 15, 16)
	Commercial sexual exploitation sometimes as a result of human trafficking (4, 5, 7, 9)
	Use in illicit activities, including selling drugs (4, 6, 14)
	Indentured and hereditary slavery (2, 7-9, 17)
	Forced labor in domestic work and camel jockeying, each sometimes as a result of human trafficking (3, 5, 9, 13, 18, 19)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Children in Mauritania, especially from the Haratine ethnic minority, continue to be exploited as slaves and endure slave-like practices in remote areas of the country. Some children are born into slavery, while others are born free, but remain in a dependent status and are forced to work with their parents for their former masters in exchange for food, money, and lodging.(4, 6, 8, 9, 20, 21) Some child slaves herd animals, such as cattle and goats, or perform domestic labor.(3, 5-7, 18)

In Mauritania, it is a traditional practice to send children to Koranic teachers to receive an education. However, some Koranic teachers (*marabouts*) force their students (*talibés*) to beg on the streets for long hours and to surrender the money they have earned.(1, 3-5, 9, 16)

Since 2011, the Government of Mauritania has required proof of marriage and biological parents’ citizenship in order to get a birth certificate. As a result, children born out of wedlock and many Haratine and sub-Saharan ethnic minority children have been prevented from being registered at birth. As birth certificates are required to enroll in secondary school in Mauritania, children as young as 12 could not access education, making them more vulnerable to the worst forms of child labor. (4, 6, 9, 16, 20-24) In addition, the lack of school infrastructure and limited availability of teachers, especially in rural areas, impede access to education, which may increase the vulnerability of children to the worst forms of child labor.(5, 8, 10, 25-27) Children from families of slave descent also face barriers to accessing education due to societal discrimination.(1, 6, 20)

In 2016, Mauritania hosted approximately 44,965 Malian refugees.(28) Refugee children may have difficulty accessing education, which could put them at increased risk of engaging in the worst forms of child labor.(8, 28-30) In addition, evidence indicates that refugee children are involved in herding activities which take them out of refugee camps for long periods of time and older boys are vulnerable to recruitment by non-state armed groups. (31-33)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Mauritania has ratified most key international conventions concerning child labor (Table 3).



Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓

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Table 3. Ratification of International Conventions on Child Labor (cont)

	Convention	Ratification
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

In March 2016, the Government of Mauritania ratified ILO Protocol of 2014 to the Forced Labor Convention.(34)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Mauritania’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	14	Article 153 of the Labor Code (35)
Minimum Age for Hazardous Work	Yes	18	Article 247 of the Labor Code (35)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 2 of Law No. 1797; Article 42 of the Penal Protection Code for Children (36, 37)
Prohibition of Forced Labor	Yes		Law 052/15; Articles 1 and 3-4 of Law 025/2003; Article 1 of Law 2013-011 (38-40)
Prohibition of Child Trafficking	Yes		Articles 1 and 3 of Law 025/2003; Article 54 of the Penal Protection Code for Children (37, 38)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 1 of Law 025/2003; Articles 24- 26 of the Penal Protection Code for Children (37, 38)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 7 of Law 62132/1962 (41, 42)
Non-State Compulsory	Yes	18	Article 43 of the Penal Protection Code for Children (37)
Compulsory Education Age	Yes	14	Article 1 of Law 2001-054 (25, 43)
Free Public Education	Yes		Article 1 of Law 2001-054 (25)

* No conscription (42)

The Labor Code allows children between ages 12 and 14 to perform light work, as long as it does not impede their school attendance, exceed two hours of work per day, and is authorized by the Ministry of Labor.(35) However, the Labor Code does not specify the activities in which light work may be permitted.(44) Children working in unpaid, temporary, or non-contractual work do not have the same protections under the child labor laws and regulations as do children working in contractual employment.(5, 35, 45)

While Mauritanian law prohibits the use of children in some illicit activities, such as organized begging, it does not criminally prohibit the use, procuring, or offering of a child for the production or trafficking of drugs. (6, 27) The law prohibits some hazardous occupations and activities for children, but it does not cover agriculture, a sector of work in which there is evidence that children use dangerous equipment and are exposed to hazardous substances.(5, 6, 44)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor Office of Labor and Inspection	Enforce labor laws and investigates Labor Code infractions, including those on child labor.(5, 6, 15)
Ministry of the Interior’s Special Brigade for Minors	Investigate crimes against children, including human trafficking, and monitor religious schools, or <i>mahadras</i> , to ensure that children are not forced to beg on behalf of their teachers. Operates in Nouakchott.(4-6, 15, 46)
Ministry of Social Affairs, Childhood, and the Family (MASEF) Office of Childhood	Develop and implement programs to protect vulnerable children and monitor alleged violations of child labor laws, including those related to the worst forms of child labor. Manages the Centers for the Protection and Social Integration of Children in Difficult Situations.(4, 5, 15) In 2016, received an operating budget of \$10,300.(30)
Ministry of Justice Direction of the Judiciary for Protection of Children	Coordinate child protection issues and oversee the Special Brigade for Minors and tribunals that sentence child offenders. (5, 15, 46)
National Commission for Human Rights	Advocate for the eradication of slavery and receive complaints and conduct investigations on human rights violations, including the worst forms of child labor.(4, 15, 47)
National Agency for the Fight against the Vestiges of Slavery, Integration, and the Fight against Poverty (<i>Tadamoun</i>)	Develop and implement programs to tackle poverty, promote the integration of refugees, and rehabilitate former slaves.(17, 47, 48) File complaints on behalf of citizens who accuse their employers of practicing slavery and bring cases of alleged slavery to the authorities for investigation.(9, 47, 49) In 2016, submitted seven slavery complaints to the Ministry of Justice for investigation.(30)
Regional Anti-Slavery Courts*	Prosecute crimes related to slavery and provide free legal assistance to victims, including children. The three regional courts located in Nema, Nouakchott, and Nouadhibou were created under the Roadmap for the Eradication of the Vestiges of Slavery.(9, 30, 50-53)

* Agency responsible for child labor enforcement was created during the reporting period.

Labor Law Enforcement

In 2016, labor law enforcement agencies in Mauritania took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$33,300 (54)	\$33,300 (5)
Number of Labor Inspectors	67 (55)	67 (5)
Inspectorate Authorized to Assess Penalties	No (54, 56)	No (5, 56)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (57)	Yes (5)
Training on New Laws Related to Child Labor	N/A (54)	N/A (5)
Refresher Courses Provided	Yes (57)	Yes (5)
Number of Labor Inspections	Unknown (57)	Unknown (5)
Number Conducted at Worksite	Unknown (57)	Unknown (5)
Number Conducted by Desk Reviews	Unknown (57)	Unknown (5)
Number of Child Labor Violations Found	Unknown (57)	Unknown (5)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (57)	Unknown (5)
Number of Penalties Imposed that Were Collected	Unknown (57)	Unknown (5)
Routine Inspections Conducted	No (54)	No (5)
Routine Inspections Targeted	No (54)	No (54)
Unannounced Inspections Permitted	Yes (57)	Yes (57)
Unannounced Inspections Conducted	Yes (57)	Yes (57)
Complaint Mechanism Exists	Yes (55)	Yes (55)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (54, 55)	Yes (55)

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In 2016, the Ministry of Labor employed 47 full-time labor inspectors and 20 full-time labor controllers, who are disseminated in 13 regional offices to enforce labor laws, including those related to child labor. The Ministry lacked equipment, transportation, and funding to conduct child labor inspections, especially in remote locations. (5, 15, 27, 58) In addition, the penalties established for violating child labor laws are insufficient and do not generally deter violations. (5, 6)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Mauritania took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (57)	Yes (57)
Training on New Laws Related to the Worst Forms of Child Labor	No (54)	No (54)
Refresher Courses Provided	Yes (57)	Yes (30)
Number of Investigations	4,200 (55)	Unknown (5)
Number of Violations Found	Unknown (54)	Unknown (5)
Number of Prosecutions Initiated	Unknown (57)	Unknown (5)
Number of Convictions	Unknown (57)	Unknown (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (57)	Yes (57)

In 2016, the Special Brigade for Minors employed 10 officers and investigated 600 cases. However, research could not determine how many of the cases involved child labor. (5) Reports indicate that NGOs referred 1,287 cases of child abuse to government social services; however, research did not identify how many of these cases were investigated by law enforcement agencies or involved child labor. (5)

During the reporting period, the newly established Anti-Slavery Courts received 46 cases of slavery, which resulted in the country's second ever slavery conviction in May 2016. The offenders were sentenced to five years' imprisonment and ordered to pay restitution for the victims of about \$2,851; the actual time served was determined to be one year, with four years suspended with probation. (6, 30, 50, 52, 53) In addition, in November 2016, the Court of Appeals of Nouakchott handed down a sentence of two years' imprisonment and fine of approximately \$6,400 for a separate child slavery case. (30) Despite these efforts, the penalties associated with both cases did not comply with the minimum sentence of 10 years' imprisonment established by law for slavery offences. (6, 30) In addition, evidence shows that the actions taken by criminal law enforcement authorities were inadequate to address the worst forms of child labor, including indentured and hereditary slavery, given the magnitude of the problem. In general, enforcement authorities, including the newly established Anti-Slavery Courts, remained understaffed, underfunded, and without adequate office supplies, transportation, and fuel to enforce laws related to the worst forms of child labor effectively. (9, 15, 30, 50, 53, 58-60)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Child Trafficking, Smuggling, and Labor Group	Coordinate child labor and child trafficking efforts. Chaired by MASEF's Office of Childhood and includes representatives from various ministries, as well as local and international organizations. (5)

The Child Trafficking, Smuggling, and Labor Group was inactive and did not receive any funding during the reporting period. (6, 22)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Eliminate Child Labor (PANETE-RIM) (2015–2020)	Aims to eliminate the worst forms of child labor by strengthening child labor laws, training relevant government officials on combating the worst forms of child labor, implementing awareness-raising campaigns, and mobilizing funds for social programs to withdraw children from child labor. Overseen by the Ministry of Labor.(2, 3, 5, 6)
National Plan to Combat the Vestiges of Slavery (2014–2017)	Aims to prevent slavery through improvements in education and health, and by providing victims with income-generating activities. Falls under the direction of the <i>Tadamoun</i> .(55, 61) In 2016, implemented income-generating activities in impoverished communities of former slaves groups.(5, 9, 30)
Roadmap for the Eradication of the Vestiges of Slavery (2014–2016)	Calls for an awareness-raising campaign on slavery, the revision of slavery laws and policies, and the implementation of programs that provide former slaves with access to education and livelihood opportunities. Overseen by the Office of the Prime Minister.(5, 10, 62, 63) In 2016, supported the creation of the Regional Anti-Slavery Courts.(5)
National Child Protection Strategy (SNPE)	Aims to protect children from abuse, violence, and exploitation and promotes improved access to education and livelihood services for vulnerable children. Led by MASEF and supported by international donors.(2, 4) In 2016, implemented activities to improve child protection data collection systems.(4, 5)
United Nations Development Assistance Framework (2012–2016)	Promotes improved access to education for vulnerable children and aims to build the capacity of the Government to address child labor. Overseen by the Ministry of Economic Affairs and Development.(27, 64)

During the reporting period, the Government did not approve the National Action Plan to Combat Trafficking in Persons that was drafted in 2015.(57, 65) Reports indicate that efforts to implement most of the key policies related to child labor have been slowed due to insufficient allocation of resources.(4, 10, 22, 58) In addition, the Government's continued imprisonment and physical mistreatment of anti-slavery protestors significantly limits its ability to address this issue comprehensively.(6, 9, 58, 66, 67)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
<u>From Protocol to Practice: A Bridge to Global Action on Forced Labor (2015–2019)</u>	USDOL-funded global project implemented by the ILO to support global and national efforts aimed at combating forced labor of adults and children under the 2014 ILO Protocol and supporting Recommendation to C.29 on Forced Labor.(34, 68) In 2016, conducted workshops to raise awareness on forced labor and slavery-like practices.(66, 69) For additional information about USDOL's work, please visit our Web site .
Program to Eradicate the Effects of Slavery†	Government program that supports the reintegration and rehabilitation of former slaves. In 2016, developed plans to increase educational opportunities for at-risk youth from slave descendant.(9)
Centers for the Protection and Social Integration of Children in Difficult Situations (CEPISE)†	MASEF operated program that provides food, shelter, education, and vocational training to vulnerable children, many of whom are <i>talibés</i> . Operates in Aleg, Kaedi, Kiffa, Nouadhibou, Rosso, and Nouakchott. In 2016, received a budget of \$ 100,000 that allowed the program to serve 540 children.(4-6, 15, 22, 27, 30)
Protection of Mauritanian Children Against Violence, Exploitation, Discrimination, Abuse, and Neglect (2014–2016)	\$1.9 million EU- and UNICEF-funded program, in partnership with MASEF, to combat child exploitation, including the worst forms of child labor. Operates in nine regional provinces. In 2016, established 46 child protection units that provided reintegration services to more than 25,000 children.(2, 5, 70)
Access to Justice and Human Rights Program	USDOS- and USAID-funded program implemented by the American Bar Association to promote the social and political rights of marginalized groups, including for former and current child victims of slavery. In 2016, trained community-based paralegals that provided services to 176 project participants.(71, 72)

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Table 10. Key Social Programs to Address Child Labor (cont)

Program	Description
Countering Trafficking in Persons (2015–2017)	\$425,000 Government of Germany-funded, 2-year project implemented by IOM to raise awareness of human trafficking among vulnerable communities and build the capacity of government actors to enforce laws related to trafficking in persons. In 2016, trained 31 magistrates and court clerks on combating human trafficking.(73, 74)
UNICEF Country Program (2012–2016)	\$13.3 million UNICEF funded program that supports the Government’s efforts to improve education, birth registration rates, social inclusion, and protection for children, including refugees.(5, 70)
World Bank Country Program	\$41.4 million World Bank-funded projects that aim to increase access to quality basic and secondary education, improve school infrastructure, and strengthen safety nets for vulnerable populations in rural areas, including children.(75, 76)

† Program is funded by the Government of Mauritania.

Although Mauritania has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, especially in agriculture, herding, and domestic work, as well as for children in hereditary and indentured slavery.(5, 54) Moreover, as recently as May 2016, some government officials did not acknowledge that slavery continues, despite its prohibition.(21, 58, 66, 77) In addition, the lack of recent data on slavery limits the Government’s ability to develop effective policies to address this issue comprehensively. Existing social programs for former slaves and awareness of the national laws on slavery are insufficient.(1, 21, 49, 77)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Mauritania (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including Its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws prohibit children from being used, procured, or offered for the production and trafficking of drugs.	2009– 2016
	Ensure that the law’s light work provisions are specific enough to prevent children from being involved in child labor.	2015 – 2016
	Ensure that the law’s minimum age provisions and protections apply to children in unpaid, temporary, or non-contractual work.	2012 – 2016
	Ensure that the hazardous occupations and activities prohibited for children are comprehensive.	2009 – 2016
Enforcement	Increase the training and number of law enforcement officials, as well as the resources for labor and criminal law enforcement agencies, including the courts, to adequately enforce child labor laws, especially in remote areas.	2010 – 2016
	Authorize the inspectorate to assess penalties.	2015 – 2016
	Strengthen the inspection system by initiating routine and targeted inspections, rather than performing inspections solely based on complaints received.	2014 – 2016
	Increase efforts to ensure that cases of the worst forms of child labor, including indentured and hereditary slavery, are investigated and prosecuted in accordance with the law.	2016
	Publish information on the number of labor inspections, child labor law violations, and penalties assessed; and the number of criminal investigations, prosecutions, and convictions related to the worst forms of child labor.	2011 – 2016
Coordination	Ensure that penalties are high enough to deter violators of child labor laws.	2015 – 2016
	Ensure that the Child Trafficking, Smuggling, and Labor Group is active and receives adequate funding to fulfill its mission.	2014 – 2016
Government Policies	Approve the National Action Plan to Combat Trafficking in Persons.	2015 – 2016
	Ensure key policies related to child labor receive sufficient funds for effective implementation.	2016
	Take steps to ensure the safety of anti-slavery protestors, as well as their rights of freedom of expression and peaceful assembly.	2011 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including Its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including those from families of slave descent and refugees, by— <ul style="list-style-type: none"> ■ Increasing school infrastructure and teacher availability, especially in rural areas; and ■ Ensuring that all children are able to obtain birth certificates to increase their access to secondary education and reduce their vulnerability to the worst forms of child labor. 	2011 – 2016
	Expand the scope of programs to address the worst forms of child labor, including in agriculture, herding, domestic work, and other sectors in which children work, as well as the issue of children in hereditary and indentured slavery.	2009 – 2016
	Implement a continuous, awareness-raising program for government officials on the laws related to slavery and the worst forms of child labor.	2012 – 2016
	Collect data on slavery to develop effective policies and programs that identify and protect children at risk.	2010 – 2016
	Increase funding for social programs that provide services to former slaves.	2015 – 2016

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Mauritania

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Mauritius

MODERATE ADVANCEMENT

In 2016, Mauritius made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government hired additional labor inspectors, now meeting the ILO's recommendation for workforce coverage. The Government also established a mechanism to coordinate human anti-trafficking efforts and drafted a National Plan to Combat Human Trafficking and a National Strategy for Street Working Children. In addition, the Government established an oversight body to monitor the provision of social services in institutional care facilities and shelters, which house orphans and child victims of commercial sexual exploitation. However, children in Mauritius engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. The Government lacks a national policy to address all relevant worst forms of child labor and poor coordination continues to hinder the Government's efforts to combat child labor. In addition, social programs to combat child labor are insufficient to adequately address the extent of the problem.

Agalega Islands, Cargados Carajos Shoals, and Rodrigues are not shown.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mauritius engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking.(1-5) Table 1 provides key indicators on children's work and education in Mauritius. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		101.1

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(6)
Data were unavailable from Understanding Children's Work Project's analysis, 2016.(7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Producing and harvesting vegetables (1, 4, 5, 8)
	Feeding livestock (9)
	Fishing, including diving, and casting nets and traps (5, 8, 10)
Industry	Working in factories and masonry (8, 11)
Services	Domestic work (1, 5, 8)
	Working in apparel shops and restaurants (8)
	Street work, including vending, begging, and carrying goods in public markets (1, 4, 5, 8)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (1-5, 12)
	Use in illicit activities, including selling drugs (5, 8)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.







Some children in Mauritius are lured into commercial sexual exploitation by their peers or family members, or through false offers of other employment.(2, 11) Mauritius has never conducted a national child labor survey, and therefore information on the prevalence of child labor in the country is limited.(5)

Evidence suggests that incidents of physical and psychological abuse, including corporal punishment of students by teachers, prevent some children from attending school, which increases their risk of engaging in the worst forms of child labor. Because of discrimination, children with disabilities face serious barriers in accessing education.(1, 3, 13-16)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Mauritius has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Mauritius' legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Sections 6 and 12 of the Employment Rights Act (17)
Minimum Age for Hazardous Work	Yes	18	Section 12 of the Employment Rights Act (17)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 8 of the Occupational Safety and Health Act (18)
Prohibition of Forced Labor	Yes		Article 6 of the Constitution; Article 2 of the Combating Trafficking in Persons Act (19, 20)
Prohibition of Child Trafficking	Yes		Article 11 of the Combating Trafficking in Persons Act; Article 13A of the Child Protection Act (20, 21)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 14 of the Child Protection Act; Article 253 of the Criminal Code (21, 22)
Prohibition of Using Children in Illicit Activities	Yes		Articles 30.1b-e, 38a, 41.1f, and 41.2 of the Dangerous Drugs Act (23)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	N/A†		
Non-state Compulsory	No		
Compulsory Education Age	Yes	16	Article 37.2 of the Education Act (24)
Free Public Education	Yes		Article 35 of the Education Act (24)

* No conscription (25)

† No standing military (25)

Mauritius

MODERATE ADVANCEMENT

During the reporting period, the Government continued to draft a comprehensive bill to harmonize the existing legal framework related to children's rights and strengthen legal provisions for child protection.(1, 5, 26, 27)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Industrial Relations, Employment, and Training (MOLIRE)	Enforce all labor laws, including those related to child labor.(5, 12)
Office of the Ombudsperson for Children	Investigate any suspected or reported case of child labor or violation of a child's rights. Propose laws and policies to advance children's rights.(3, 5, 28, 29)
Police Brigade for the Protection of Minors (Minors' Brigade)	Investigate crimes of the worst forms of child labor, including child trafficking and commercial sexual exploitation.(3, 5, 27) Maintain a database of all trafficking incidents involving children and refer all cases of commercial sexual exploitation to the Child Development Unit (CDU).(30)
Ministry of Gender Equality, Child Development and Family Welfare's (MOGE) Child Development Unit (CDU)	Enforce legislation related to children and implement policies and social programs related to child development. Provide social services to victims of the worst forms of child labor, including human trafficking.(5, 30-32) Operate a central database for sharing information and taking action to address child labor.(5, 31, 32)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Mauritius took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$1.1 million (11)	\$1.2 million (5)
Number of Labor Inspectors	55 (11)	85 (33)
Inspectorate Authorized to Assess Penalties	No (11)	No (5)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (11)	Yes (5)
Training on New Laws Related to Child Labor	Yes (11)	Yes (5)
Refresher Courses Provided	Yes (11)	Yes (5)
Number of Labor Inspections	479 [†] (11)	1,673 [‡] (5)
Number Conducted at Worksite	479 [†] (11)	1,673 [‡] (5)
Number Conducted by Desk Reviews	0	0
Number of Child Labor Violations Found	2 (34)	0 (5)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (11)	N/A (5)
Number of Penalties Imposed that Were Collected	N/A	N/A
Routine Inspections Conducted	Yes (11)	Yes (5)
Routine Inspections Targeted	No (11)	Yes (5)
Unannounced Inspections Permitted	Yes (11)	Yes (5)
Unannounced Inspections Conducted	Yes (11)	Yes (5)
Complaint Mechanism Exists	Yes (11)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (5)

[†] Data are from January 1, 2015, to October 31, 2015.(11)

[‡] Data are from January 1, 2016, to October 31, 2016.(34)

Although the Ministry of Labor, Industrial Relations, Employment, and Training (MOLIRE) works with the Child Development Unit (CDU) and the Minors' Brigade to refer victims to social service providers, research indicates that these agencies do not coordinate with the Ministry of Education to ensure that victims have access to education.(9, 11, 35)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Mauritius took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Yes (5)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	N/A
Refresher Courses Provided	Unknown (9)	Yes (5)
Number of Investigations	Unknown	Unknown (5)
Number of Violations Found	Unknown	Unknown (5)
Number of Prosecutions Initiated	Unknown	Unknown (5)
Number of Convictions	Unknown	0 (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (27)	Yes (5, 11)

During the reporting period, the Minors' Brigade, in cooperation with the CDU, received 17 complaints, including eight cases of child labor and four cases of commercial sexual exploitation.(5) In 2016, the police investigated at least three cases of child trafficking and referred three other cases of child trafficking that occurred before the reporting period to the Director of Public Prosecutions.(30) However, the total number of investigations, violations, and prosecutions related to the worst forms of child labor is unknown. In addition, research revealed that criminal law enforcement agencies lacked staff, transportation, and other necessities to properly enforce criminal laws related to the worst forms of child labor.(12, 36)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Child Protection Committee (NCPC)	Coordinate and implement activities on children's rights, including efforts to combat the worst forms of child labor. Chaired by MOGE and also known as the High Powered and Working Together Committee. (30, 31, 37). In 2016, the NCPC met twice to carry out awareness-raising activities on the commercial sexual exploitation of children in the tourism industry.(38)
Inter-Ministerial Committee on Human Trafficking*	Coordinate human anti-trafficking efforts in Mauritius. Chaired by the Attorney General's Office and includes representatives from MOLIRE, MOGE, and other ministries.(2, 33, 39)
National Children's Council (NCC)	Coordinate child protection efforts in Mauritius as an independent, para-governmental entity under the auspices of MOGE.(3, 12) In June 2016, partnered with stakeholders to organize awareness-raising campaigns on children's rights in honor of International Day of the African Child.(5)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

In 2016, a lack of coordination between the National Child Protection Committee (NCPC) and the National Children's Council (NCC) hindered the Government's efforts to combat the worst forms of child labor.(3, 5)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
Child Safety Online Action Plan	Aims to prevent sexual exploitation of children on the Internet by strengthening the legal framework and developing awareness-raising programs. Implemented by the Ministry of Information and Communication Technology, in conjunction with MOGE, the Minors' Brigade and the Office of the Ombudsperson for Children.(3, 40, 41) In February 2016, organized workshops as part of Safer Internet Day.(11)
Education and Human Resources Strategy Plan (2008–2020)	Aims to improve equity of access to primary, secondary, and technical and vocational education, and to provide social services for youth. Overseen by the Ministry of Education.(42, 43) In 2016, developed 9-year schooling strategy to expand education access for children with learning difficulties.(5)
Government Development Program—Achieving Meaningful Change (2015–2019)	Aims to increase access to social protection services for vulnerable populations, including children, and emphasizes a zero tolerance policy for the use of children in drug trafficking.(26, 44, 45).

In 2016, the Government drafted a National Plan to Combat Human Trafficking and a National Strategy for Street Working Children; however, neither was approved by the end of the reporting period.(2, 5, 32, 39) Despite these efforts, research found no evidence of a policy to combat other worst forms of child labor such as commercial sexual exploitation.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
Awareness-Raising Programs on Commercial Sexual Exploitation and Human Trafficking [†]	Government program to educate the public on preventing commercial sexual exploitation of children and human trafficking.(2, 37) In 2016, the police educated 13,558 students in primary and secondary schools, as well as individuals in community centers.(5, 30)
Drop-in Centers, Shelters, and Institutional Care [†]	Government programs that provide rehabilitation services to victims of commercial sexual exploitation and human trafficking. Monitored by the CDU.(3, 27) In 2016, created a new Drop-in Center in Grand River Northwest that served 25 child victims, and expanded the <i>La Colombe</i> shelter in order to provide appropriate services to victims.(5, 27, 30, 39)
IOM Country Program	IOM program that builds the capacity of relevant government agencies to protect children from exploitation and human trafficking. In 2016, trained law enforcement officials on counter-trafficking in persons.(32, 46)
Education Assistance Programs [†]	Government programs that aim to increase access to quality primary education for vulnerable children. These programs include the Eradication of Absolute Poverty Program that provides educational support to 500 households in 229 geographic pockets of poverty and the Education Priority Zones that provide equal opportunities to primary school children throughout the country.(3, 43)

[†] Program is funded by the Government of Mauritius.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(3, 27, 37, 43)

In 2016, the Government established an oversight body to address the lack of appropriate standards of care, inadequate service provision, and overcrowding that exists in institutional care facilities and shelters that house orphans, child victims of commercial sexual exploitation, and victims of other types of abuses.(5, 11, 29, 35)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Mauritius (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under 18 into non-state armed groups.	2016
Enforcement	Strengthen the labor inspectorate by authorizing inspectors to assess penalties.	2015 – 2016
	Ensure that children identified during labor inspections receive all necessary social services, including access to education.	2015 – 2016
	Publish comprehensive criminal law enforcement information related to the worst forms of child labor, including the number of investigations conducted, violations found, and prosecutions initiated.	2014 – 2016
	Increase the amount of training, human resources, and funding for agencies responsible for enforcing laws related to child labor.	2011 – 2016
Coordination	Streamline coordination across agencies and encourage effective coordination between the NCCP and the NCC.	2012 – 2016
Government Policies	Adopt a policy that addresses the worst forms of child labor, such as commercial sexual exploitation.	2014 – 2016
Social Programs	Conduct research to determine the prevalence of child labor in Mauritius to inform policies and programs.	2013 – 2016
	Ensure that all children, including those with disabilities, can attend school without fear of physical or psychological abuse.	2014 – 2016
	Ensure that victims of commercial sexual exploitation have access to comprehensive and quality social services.	2010 – 2016

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In 2016, Moldova made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted Law No. 207, which increases penalties for the use of children in the worst forms of child labor. It passed the Action Plan to Support the Roma People, which includes the goals of inclusive education and combating discrimination of the Roma, an ethnic minority group whose children are particularly vulnerable to the worst forms of child labor. In addition, the Government and the International Labor Organization established a Decent Work Country Program to strengthen available statistics on child labor and improve the effectiveness of the labor inspectorate. However, children in Moldova engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in agriculture. Funding for the State Labor Inspectorate was not sufficient, and the inspectorate's efforts to enforce child labor laws were hindered by barriers to conducting unannounced inspections. Furthermore, the judicial system failed to ensure that perpetrators of crimes related to the worst forms of child labor were properly convicted and sentenced according to the law.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Moldova engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in agriculture. (1-5) Table 1 provides key indicators on children's work and education in Moldova.

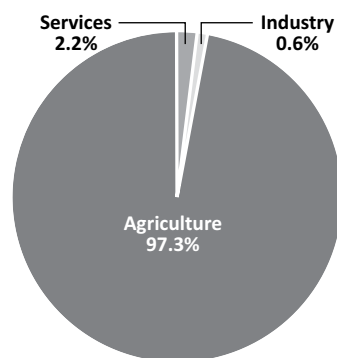
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	24.3 (102,105)
Attending School (%)	5 to 14	92.1
Combining Work and School (%)	7 to 14	29.0
Primary Completion Rate (%)		90.9

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Labour Force Survey-Child Labour Survey, 2009.(7)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Agriculture, † including growing crops and raising farm animals (2, 8-14)
Industry	Construction, † activities unknown (2, 8, 10, 11)
Services	Street work, including begging (10, 12)
	Domestic work (10, 12)
	Wholesale and retail trade, activities unknown (8-11)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [†]	Commercial sexual exploitation and forced begging, each sometimes as a result of human trafficking (1, 2, 4, 5, 10, 15)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Poor lack of information limits an assessment of the types of work that children perform and the sectors in which they work, including for the secessionist region of Transnistria.(2, 4, 10, 15)

Both boys and girls are recruited for commercial sexual exploitation.(4, 5) Traffickers recruited children as young as age 13 for prostitution and other forms of commercial sexual exploitation.(4) Moldova is also a destination for sex tourism of children from various countries.(4, 5, 10, 11, 15, 16) Sex tourists continue to target orphanages by bribing orphanage administration officials to obtain unsupervised access to children.(3)




Child trafficking, particularly of children suffering from familial neglect, continues to be a concern in Moldova.(4, 13, 17, 18) Children left behind by migrant parents may be particularly vulnerable to child labor and human trafficking, especially those who are in orphanages or boarding schools.(4, 9, 12, 16, 19) Vulnerable children from Transnistria were at an increased risk of being trafficked through Ukraine’s Odessa region.(4, 20)

Although the Education Code provides for free and compulsory education until age 18, parents are required to pay fees for textbooks, and sometimes they are asked to pay informal fees.(10, 21) Children, especially girls from the Roma community, remain vulnerable to the worst forms of child labor, including forced begging.(12, 21, 22) Children who lack identity documents may face increased vulnerability to engage in child labor, including its worst forms. Textbook costs, birth registration documentation, and the negative attitudes of school officials and students toward some Roma children make it challenging for some Roma children to access education.(4, 9, 12, 16, 19, 23, 24)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Moldova has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The legal framework in Moldova appears to be sufficient to address and protect children from child labor (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Article 46 of the Labor Code (25)
Minimum Age for Hazardous Work	Yes	18	Article 255 of the Labor Code; Article 3 of the Collective Convention on Elimination of the Worst Forms of Child Labor (25, 26)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Government Decision No. 541; Collective Convention on Elimination of the Worst Forms of Child Labor; Articles 103, 105, 255 and 256 of the Labor Code (25-27)
Prohibition of Forced Labor	Yes		Article 44 of the Constitution; Article 168(b) of the Criminal Code; Article 7 of the Labor Code; Collective Convention on Elimination of the Worst Forms of Child Labor (25, 26, 28, 29)
Prohibition of Child Trafficking	Yes		Articles 2 and 25–29 of the Law on Preventing and Combating Trafficking in Human Beings; Collective Convention on Elimination of the Worst Forms of Child Labor (26, 30)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 206 and 208 of the Criminal Code; Article 6 of the Law on the Rights of the Child; Collective Convention on Elimination of the Worst Forms of Child Labor (26, 29, 31)
Prohibition of Using Children in Illicit Activities	Yes		Article 208 of the Criminal Code; Collective Convention on Elimination of the Worst Forms of Child Labor (26, 29)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Article 28 of Law No. 1245-XV on the Preparation of Citizens for Homeland Defense (32, 33)
State Voluntary	Yes	18	Article 12 of Law No. 162-XVI on the Status of Servicemen (34)
Non-state Compulsory	Yes		Article 26 of the Law on the Rights of the Child; Article 206(d) of the Criminal Code (29, 31)
Compulsory Education Age	Yes	16	Article 13 of the Education Code of 2010 (35)
Free Public Education	Yes		Article 35 of the Constitution; Article 9 of the Education Code of 2014 (28, 36)

In 2016, Law No. 207 was passed, which increases penalties for the use of children in the worst forms of child labor, including forced child labor, using minors in criminal activities, and the production of child pornography.(37) The Government amended Criminal Code Law 985 XV, Article 175 to include protection for minors who are sexually exploited on the Internet, increasing the sentences of offenders.(38)

While Article 13 of the Education Code of 2010 states that education is compulsory until age 18, this provision will not be fully in force until 2018.(11) Fifteen-year-olds can sign a work contract, with parental consent, if the work will not endanger the minor's health or interfere with the child's growth, education, and professional development.(2)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
State Labor Inspectorate (SLI) in the Ministry of Labor, Social Protection, and Family (MLSPF)	Enforce all child labor laws. Investigate child labor cases.(39, 40) Manage the National Referral System to Protect and Assist Victims and Potential Victims of Trafficking in Human Beings (NRS), which has been implemented in all of Moldova's regions; each regional coordinator coordinates directly with law enforcement, NGOs, and schools, and leads victim rehabilitation efforts.(4) Through the National Coordination Unit and Child Labor Monitoring Unit (CLMU), coordinate activities related to the protection of victims and potential victims of human trafficking. Build the capacity of multidisciplinary teams (MDTs) at the local level to improve victim identification and referral for crisis intervention and rehabilitation.(41) Includes community social assistants, police officers, and NGO workers.(41) One inspector in 2016 within the CLMU.(10, 39, 42)
Center for Combating Trafficking in Persons (CCTIP)	Lead criminal investigations and arrest perpetrators, including trafficking of children for both labor and sexual exploitation. Subdivision of the Ministry of the Interior with 11 criminal investigators.(10)

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Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Security and Intelligence Service	Enforce criminal laws against child trafficking and sexual exploitation through cooperation and information exchange with CCTIP, the Border Police, the National Corruption Center, and the Customs Service. Attached to the CCTIP.(10, 39)
Prosecutor General's Office (PGO)	Conduct and oversee criminal investigations on the worst forms of child labor, including the commercial sexual exploitation of children, and prosecute cases. Maintains 36 offices around the country.(43, 44)
People's Advocate (Ombudsman)	Specialize in child protection issues, including child labor, and defend children's constitutional rights. Public authorities, officials, and institutions are required to cooperate with the Ombudsman.(10)
Ministry of Justice (MOJ)	Enforce criminal laws against child trafficking and sexual exploitation.(39) Draft, consult, and propose all processes related to legislation for the Government's approval before they enter into force.(43)
Center for Combating Cyber Crime	Focus on child pornography through a specialized unit of three operatives.(10) USDOS has donated specialized equipment to this center and conducts training on a continual basis for 12 police officers on criminal investigations of cybercrimes involving children.(4, 44)
Ministry of Information Technology	Assist with the identification of victims of trafficking in persons and provide foreign victims with residence permits and identity cards.(4)

In 2016, the Prosecutor General's Office (PGO), Center for Combating Trafficking in Persons (CCTIP), Security and Intelligence Service, and the Border Police developed a report on factors that increase vulnerability to human trafficking, including lack of parental supervision, poverty, disability, and youth.(20) The Ombudsman remained vacant in 2016 until April, which may have affected child protection cases.(10) In addition, as part of its August reforms, the PGO eliminated the requirement for specialized prosecutors for trafficking in persons (TIP) cases. This practice was reinstated in December; however, the requirement was not codified into law, which means that the PGO can again reverse this decision without outside approval.(20, 21) This disruption likely contributed to the significant decrease in trafficking prosecutions.(20, 21)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Moldova took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$560,000 (2)	\$700,000 (11)
Number of Labor Inspectors	109 (2)	87 (11)
Number of Child Labor Dedicated Inspectors	2 (42)	1 (11)
Inspectorate Authorized to Assess Penalties	No (2)	No (11)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (2)	Yes (11)
Training on New Laws Related to Child Labor	Unknown	Yes (10)
Refresher Courses Provided	Yes (2)	Yes (10, 21)
Number of Labor Inspections	6,933 [†] (2)	4,048 [‡] (11)
Number Conducted at Worksite	Unknown	4,048 [‡] (11)
Number Conducted by Desk Reviews	Unknown	0 (11)
Number of Child Labor Violations Found	10 [†] (2)	17 [‡] (11)
Number of Child Labor Violations for Which Penalties Were Imposed	7 (2)	17 [‡] (11)
Number of Penalties Imposed that Were Collected	Unknown	3 (10)
Routine Inspections Conducted	Yes (2)	Yes (11)
Routine Inspections Targeted	Unknown	No (10)
Unannounced Inspections Permitted	Yes (2)	Yes (11)
Unannounced Inspections Conducted	Yes (2)	Yes (11)
Complaint Mechanism Exists	Yes (2)	Yes (11)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (11)

[†] Data are from January 2015 to November 2015.

[‡] Data are from January 2016 to November 2016.

The State Labor Inspectorate (SLI) inspects enterprises, institutions, and organizations, regardless of their type or legal form. The SLI trained all national and regional labor inspectors on combating child labor.(10) In 2016, three seminars about the minimum requirements for labor safety, including for minors, were held.(10) However, the number of labor inspectors, funding, and resources were insufficient.(11) Furthermore, a law was adopted that temporarily blocked inspections by all state inspection agencies for 180 days as an attempt to reduce corruption in the labor inspectorate.(21) As a result, the SLI was not able to conduct inspections on businesses for most of 2016 until the moratorium ended in October.(10) The number of labor inspectors decreased and an insufficient number of inspections were conducted.(10) In 2016, 3,302 routine announced and 746 unannounced inspections were conducted. Thirteen minors were removed from hazardous occupations.(11) Sources indicated that the number of confirmed child labor violations in 2016 did not accurately reflect the entire problem.(10)

The laws on minimum age for work and hazardous work prohibited for minors are also applicable to informal work. The SLI develops a targeted inspection plan based on a risk assessment, in accordance with Law No. 131 and 140, and Government Decision No. 375.(45-47) However, children working in the informal sector are unprotected due to law enforcement practices.(10) Inspections are less effective because the SLI must give notice to employers 5 days prior to planned inspections.(2, 10) In addition, the Government's existing mechanism for filing and responding to child labor complaints is generally regarded as ineffective.(2)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Moldova took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (4)	Yes (20)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	No (10)
Refresher Courses Provided	Yes (2)	No (10)
Number of Investigations	38 (2)	23 [‡] (10)
Number of Violations Found	44 (2)	23 [‡] (10)
Number of Prosecutions Initiated	24 (2)	7 [‡] (10)
Number of Convictions	19 (2)	Unknown (10)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (10)

[‡] Data are from January 2016 to October 2016.

The Ministry of the Interior noted that funding was inadequate for criminal investigators.(11) Ten police officers attended trainings about interagency cooperation; child victim assistance; prevention of violence, neglect, and exploitation; and child trafficking.(11) However, a source indicated that the Government's law enforcement personnel, particularly police officers who conduct foot patrols, lacked training in proper investigative techniques for child trafficking cases.(4)

Local NGO experts agree that weaknesses in the judicial system continue to hinder the Government's ability to enforce laws related to the worst forms of child labor.(4, 20, 48, 49) Sentences did not correspond with the severity of the crime. Minor victims of commercial sexual exploitation received penalties for engaging in commercial sex.(20)

The Ministry of Labor, Social Protection, and Family provided training to 900 mayors on the implementation of an interagency mechanism for the identification, referral, assistance, and monitoring of child victims and potential victims.(10) Although a reciprocal mechanism between criminal authorities and social services exists, there is insufficient cooperation between the agency members of the National Referral System.(4, 20) Also, CCTIP has established child interview rooms in each of Moldova's regions, but there is no specialized placement center for child victims of trafficking.(4, 20) The inability of local authorities to identify criminal acts was also of concern.(10)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee on the Elimination of Child Labor (NSC)	Coordinate work on child labor issues at the national level among representatives from workers' organizations, NGOs, academia, and government agencies. The NSC did not meet in 2016.(10)
National Committee for Combating Trafficking in Persons (NCCTIP)	Coordinate efforts to prevent and combat child trafficking and child sexual exploitation. Members include government ministries.(10, 20) Through the Permanent Secretariat, monitor implementation of legal provisions on combating human trafficking as developed by the NCCTIP.(10) Draft provisions on human trafficking, participate in anti-trafficking campaigns, and develop national action plans.(4)
National Commission for Consultation and Collective Bargaining	Through the Permanent Council on Child Labor, inform and provide consultations to the Commission on issues arising from the worst forms of child labor. In 2016, the Commission met seven times.(10)
National Council for the Protection of Child Rights	Coordinate national efforts to combat child exploitation.(10) Chaired by the Deputy Prime Minister. The Council met once in 2016.(10) Has a working group to discuss existing gaps in the current birth registration process and develop recommendations.(50, 51)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
Moldova Action Program (2016–2018)†	Promotes the rights and protection of children, including the prevention and combating of violence, neglect, and exploitation.(52) Aims to increase the welfare, safety, and quality of life of citizens.
Action Plan for 2015–2016	Adopted by Government Decision No. 680. Includes actions to address child labor issues and promote children's rights, including for vulnerable groups.(2, 53) The Action Plan continued to be implemented in 2016.(10)
National Plan for Preventing and Combating Trafficking in Human Beings (2014–2016)	Aims to improve anti-human trafficking efforts and reduce children's vulnerability to child labor and sexual exploitation by improving data collection, referral mechanisms, public awareness, and training for government officials.(54) Continued to implement the plan in 2016.(10)
Strategy of the National Referral System to Protect and Assist Victims and Potential Victims of Trafficking in Human Beings (NRS) (2009–2016)	Outlines a framework for the protection of victims of human trafficking. Focuses on raising awareness, improving victim identification, referral mechanisms, and training and technical assistance.(41) Regulates the work of the MDTs and the National Coordination Unit. Launched by the MLSPF.(41) The Government continued to implement the strategy in 2016.(10)
Action Plan to Support the Roma People (2016–2020)†	Aims to promote social inclusion of Roma. Includes the goals of education, social protection, and combating discrimination.(55) Funding comes from the Government, private partnerships, and the EU.(55, 56)
Child Protection Strategy (2014–2020)†	Includes the goals of preventing and combating violence, neglect, and the exploitation of children, and providing assistance to children's upbringing and development.(40, 57) In July 2016, the Government further approved the strategy for 2016–2020.(58)

† Policy was approved during the reporting period.

The Government had a National Action Plan on the Prevention and Elimination of the Worst Forms of Child Labor, but it expired in 2015. Research found no evidence that a new national action plan has been developed.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
UNICEF-Government of Moldova Country Program (2013–2017) [†]	UNICEF and Government program to improve the social inclusion of vulnerable children. Focuses on migrant, Roma, and child victims of sexual exploitation and abuse.(24, 40) Program continued in 2016.(10)
Conditional Cash Transfer Program [†]	Government allocated \$780,000 in financial support to give to vulnerable families with children to buy school items.(21) Lump sum support was given to 77,083 families with minor children from the allocated budget of \$30 million.(10, 21, 44)
Structured Interviewing of Child Victims and Witnesses in Moldova (2014–2016) [†]	UNICEF, Oak Foundation, and USAID-funded project. Aimed to ensure that child victims of domestic violence and trafficking are treated fairly within the justice system.(2) Implemented by the National Center for the Prevention of Child Abuse, the PGO, the MOJ, and others.(2) Support for the program continued in 2016.(10)
ILO Projects*	Decent Work Country Program (2016–2020) aims to strengthen available statistics on child labor and improve the labor inspectorate, with a focus on construction and agriculture.(59) Promoting Decent Work for Roma Youth in Moldova focuses on policies to address Roma youth labor market integration for 15- to 29-year-olds.(60)
Center for Protection and Assistance for Victims of Human Trafficking	Child victims of human trafficking are offered legal and social support, accommodation, psychological assistance, and family reunification services.(10)
Child Helpline (2014–2016) [†]	Implemented by La Strada. Provided psychological counseling and information to parents and children who may be experiencing violence, neglect, or exploitation.(42, 61) In 2016, the Helpline received 9,495 calls and provided counseling to 6,321 children.(10, 20)
Shelters for Victims of Human Trafficking [†]	Government-funded shelters for children from Moldova and Transnistria.(20) Offer accommodations, rehabilitation, and reintegration services.(48) Program continued in 2016.(10)

* Program was launched during the reporting period.

[†] Program is funded by the Government of Moldova.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(4, 10, 42-44, 62-66)

Existing social programs do not meet the current level of need, particularly for child victims of TIP requiring long-term care and children working in agriculture.(20)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Moldova (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Enforcement	Authorize the State Labor Inspectorate to assess penalties.	2016
	Increase funding for the State Labor Inspectorate to ensure that it employs a sufficient number of inspectors and provide inspectors with the financial resources necessary to inspect child labor.	2012 – 2016
	Ensure that laws do not block state inspection agencies from carrying out inspections.	2016
	Fully protect children in all sectors and make inspections more effective by eliminating advance notice to employers.	2016
	Ensure that the government mechanism for filing and responding to child labor complaints functions properly.	2016
	Ensure that funding is sufficient for criminal investigators.	2016
	Ensure that investigators, including police officers who conduct foot patrols and CCTIP, receive training on laws and investigative techniques related to the worst forms of child labor.	2016
	Strengthen the judicial system, especially the PGO's specialized prosecutors, to ensure that perpetrators of crimes related to the worst forms of child labor are convicted and sentenced according to law and children are protected and treated as victims.	2014 – 2016
Coordination	Ensure that the National Steering Committee on the Elimination of Child Labor meets.	2013 – 2016
Government Policies	Develop and adopt a national action plan for child labor elimination and prevention.	2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Social Programs	Conduct research to determine the activities carried out by children working in the agriculture, industry, and services sectors.	2013 – 2016
	Institute targeted support programs for institutionalized children in orphanages or boarding schools.	2015 – 2016
	Institute targeted support programs that eliminate discrimination and violence against Roma children and promote equal access to education.	2014 – 2016
	Ensure sufficient support for child trafficking victims and children working in agriculture.	2015 – 2016

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Mongolia

MODERATE ADVANCEMENT

In 2016, Mongolia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government expanded its List of Prohibited Work for Children, which bars children under age 18 from working in construction and mining, as well as in horse racing during the winter and spring seasons. The Family, Child, and Youth Development Agency organized training on the National Action Plan on Eliminating the Hazardous Work of Children and the revised hazardous work list for 55 local police staff and social workers in 27 counties. In addition, the Government expanded a nationwide, toll-free Child Helpline that receives and refers child labor complaints.



Children in Mongolia perform dangerous tasks in herding, mining, and horse racing. Children also engage in the worst forms of child labor, including in commercial sexual exploitation. Labor inspectors lack adequate training on laws related to child labor, and state funding provided for the General Agency for Specialized Inspection is insufficient. The Government also lacks social programs to address child labor in certain relevant sectors.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mongolia perform dangerous tasks in herding, mining, and horse racing. Children also engage in the worst forms of child labor, including in commercial sexual exploitation. The Mongolia National Child Labor Survey 2011–2012, published in 2013, indicates that 7.4 percent of 589,076 Mongolian children ages 5 to 17 engage in child labor, of which 11.1 percent, or 10,398 children, are involved in hazardous work. Nine out of 10 children exploited in situations of hazardous work are boys.(1, 2) According to the survey, children’s employment is more prevalent in rural areas than in urban areas.(1, 3) Table 1 provides key indicators on children’s work and education in Mongolia.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	13.8 (60,246)
Attending School (%)	5 to 14	87.6
Combining Work and School (%)	7 to 14	15.1
Primary Completion Rate (%)		98.3

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(4)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Labor Force Survey-National Child Labor Survey, 2011–2012.(5) Data on working children, school attendance, and children combining work and school are not comparable with data published in the previous version of this report because of differences between surveys used to collect the data.

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Herding [†] and animal husbandry [†] (1, 6-8)
Industry	Construction, [†] including carrying and loading bricks, cement, and steel framework, mixing construction solutions such as lime or cement, [†] binding steel framework, and cleaning at the construction site [†] (1, 9, 10) Mining [†] coal, gold, and fluorspar (1, 8, 11-14)
Services	Horse jockeying [†] (8, 13, 15-17) Scavenging in garbage dumpsites (1, 8, 13) Handling freight [†] (1) Domestic work [†] (10) Ticket-taking for public transportation [†] (8, 18) Street work, including vending [†] and washing cars (1, 8)

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [†]	Commercial sexual exploitation, including use in the production of pornography, (8, 13, 14, 19)
	Forced labor in begging (8, 13, 14, 19)
	Forced labor in construction, mining, agriculture, horse jockeying, animal husbandry, industrial sectors, and contortionist work, each sometimes as a result of human trafficking (13, 14, 19)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Mongolian children are generally trafficked internally for the purpose of commercial sexual exploitation in saunas, bars, hotels, karaoke clubs, and massage parlors.(6, 14, 19, 20) In addition, the Family, Child, and Youth Development Agency (FCYDA), formerly the National Authority for Children, estimates that Mongolia has 10,699 registered child jockeys, and nearly all of them (96 percent) are boys younger than age 18.(21) Child jockeys face a number of health and safety hazards, including exposure to extremely cold temperatures, risk of brain and bone injuries, and fatal falls.(16, 17) Participation in pre-training and spring racing may also negatively impact a child’s school attendance, particularly when children as young as age 7 can participate in horse racing.(16, 17)

During the reporting period, government agencies collected data on exploitative child labor in Mongolia’s capital city. The Ulaanbaatar FCYDA identified 78 children engaged in begging and referred them to social service providers.(8) In addition, the FCYDA identified 1,498 children ages 8 to 18 working in informal artisanal mining and removed 44 children from hazardous work to be assisted by Legal Assistance Centers.(8)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Mongolia has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Mongolia’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Article 109 of the Law on Labor (22)
Minimum Age for Hazardous Work	Yes	18	List of Jobs and Occupations Prohibited to Minors (18, 23)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		List of Jobs and Occupations Prohibited to Minors; Law on the National Naadam Holiday (18, 24)

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Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Forced Labor	No		Articles 113, 121, and 124 of the Criminal Code; Article 7 of the Law on Labor; Article 7 of the Law on the Rights of the Child (2, 22, 23)
Prohibition of Child Trafficking	No		Law on Combating Trafficking in Persons; Article 113 of the Criminal Code (2, 25)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 115, 123, and 124 of the Criminal Code; Combating Pornography and Prostitution Act (2, 26)
Prohibition of Using Children in Illicit Activities	No		Articles 114 and 192 of the Criminal Code (2)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Law on Civil Military Duties and Law on the Legal Status of Military Personnel (27, 28)
State Voluntary	Yes	18	Law on Civil Military Duties and Law on the Legal Status of Military Personnel (27, 28)
Non-state Compulsory	No		
Compulsory Education Age	Yes	16	Article 46 of the Law on Education (29, 30)
Free Public Education	Yes		Article 16 of the Constitution of Mongolia; Article 5 of the Law on Education (31, 32)

In February 2016, the Ministry of Labor and Social Protection (MLSP) issued an order that expanded the types of hazardous work prohibited to children, including working and training as a horse jockey in winter and spring races, construction, and mining and exploration.(8, 18, 33, 34) In addition, the Government amended Article 109 of the Law on Labor to raise the minimum age for engaging in “light work” from 14 to 15 years, cap the workweek at 30 hours for children age 15 and under and 36 hours for children ages 16 and 17, prohibit children from engaging in irregular work conditions and work that affects their mental development and health, and extend labor protections to children working without employment contracts.(8, 22)

Mongolia’s Criminal Code does not sufficiently prohibit child trafficking, or the use, procurement, or offering of a child for commercial sexual exploitation or illicit activities, in accordance with international recommendations, as it leaves children age 16-17 vulnerable to involvement in the worst forms of child labor, sometimes as a result of human trafficking.(2, 35) In addition, laws related to forced labor are not sufficient, as debt bondage is not criminally prohibited.(2) Mongolia’s laws related to military service are not sufficient, as they do not prohibit non-state armed groups from recruiting children under 18.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
General Agency for Specialized Inspection (GASI)	Enforce labor laws, including child labor. Conduct inspections at registered businesses.(20) As independent agency, reports to the Deputy Prime Minister.(8)
Family, Child, and Youth Development Agency (FCYDA)	Implement programs directed toward families and children for the Ministry of Labor and Social Protection and other government agencies. Perform secretarial duties of the National Committee on the Elimination of the Worst Forms of Child Labor.(8)
National Police Agency (NPA)	Maintain primary responsibility for investigating criminal cases. Report to the Ministry of Justice and Internal Affairs (MOJIA).(8)

Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Organized Crime Department	Operate under the NPA, receive referrals, and open formal criminal investigations of human trafficking and sexual exploitation cases.(19) Work with the Prosecutor's Office to decide whether to take a case to court and initiate subsequent prosecution.(8, 36)
Metropolitan Police Department	Operate under the NPA and oversee police operations in Ulaanbaatar's 17 district police offices.(8) Enforce labor laws and identify children in hazardous labor.(20)
Division for the Prevention of Domestic Violence and Crimes Against Children	Operate under the Metropolitan Police Department and protect unattended children on the streets. Identify and refer children to their parents or to Child Care and Protection Centers.(37)
General Authority for Citizenship and Migration	Register Mongolian citizens who enter and exit the country. Track children who leave Mongolia and do not return, as well as pregnant Mongolian women who leave Mongolia to give birth and return without their child.(19) Follow up with law enforcement as necessary.(19)
Marshal (Takhar) Service	Provide protection to victims and witnesses throughout the judicial process. Work toward establishing shelters throughout the country.(37, 38) Abolished in July 2016; responsibilities assumed by the National Police Agency.(8)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Mongolia took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (10)	\$23,657(8)
Number of Labor Inspectors	88 (10)	63 (8)
Number of Child Labor Dedicated Inspectors	2 (10)	0 (8)
Inspectorate Authorized to Assess Penalties	Yes (10)	Yes (8)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (39)	Yes (8)
Training on New Laws Related to Child Labor	N/A	No (8)
Refresher Courses Provided	No (10)	Unknown (8)
Number of Labor Inspections	Unknown* (10)	Unknown* (8)
Number Conducted at Worksite	Unknown* (10)	Unknown* (8)
Number Conducted by Desk Reviews	Unknown* (10)	Unknown* (8)
Number of Child Labor Violations Found	Unknown* (10)	Unknown* (8)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown* (10)	Unknown* (8)
Number of Penalties Imposed that Were Collected	Unknown* (10)	Unknown* (8)
Routine Inspections Conducted	Yes (10)	Yes (8)
Routine Inspections Targeted	Yes (10)	Yes (8)
Unannounced Inspections Permitted	No (10)	No (8)
Unannounced Inspections Conducted	N/A	N/A
Complaint Mechanism Exists	No (10)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (37, 39)	Yes (8)

* The Government does not make this information publicly available.

NGOs and government officials reported that the enforcement of child labor laws remains challenging due to the legal requirement to provide 48 hours advance notification for inspections and the lack of resources for inspections, including the number of inspectors and the state funding provided to the General Agency for Specialized Inspection (GASI). In 2016, GASI employed 63 labor inspectors, a decrease from 88 in the previous year as a result of administrative restructuring.(8) The number of labor inspectors is insufficient for the size of Mongolia's workforce, which includes over 1,164,000 workers. According to the ILO's recommendation of one inspector for every 15,000 workers in developing economies, Mongolia should employ roughly 78 labor inspectors in order to adequately enforce labor laws throughout the country.

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While new inspectors receive an initial training course that includes a component on child labor, existing labor inspectors last received training in 2014.(8) Research indicates that employers often disregard the law and require minors to work over 40 hours per week and pay them less than the minimum wage.(13)

In 2016, GASI conducted an unspecified number of horse racing inspections in 20 of Mongolia’s 21 provinces to verify that riders met the minimum age requirement and used proper safety equipment. During these visits, GASI inspectors imposed a total of 105 fines, prevented 212 underage children from participating in the races as jockeys, and corrected 932 safety equipment violations.(8) In addition, GASI worked with provincial governments to increase public awareness of horse racing safety, provided hand-outs to horse trainers, and conducted a joint training with FCYDA in Omnogovi province for 130 children at a summer camp; however, FCYDA reports that some individuals avoid regulations by registering their races as family gatherings.(8)

Child labor and child rights violations can be reported to the FCYDA through a nationwide, toll-free Child Helpline commonly known as “108,” which is staffed with 22 dedicated employees as well as a social worker and response team who are available 24 hours.(8, 40) During the reporting period, the Child Helpline received 1,069 calls, of which 48 calls were related to child labor.(41)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Mongolia took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (10)	Yes (8)
Number of Investigations	8 (33)	Unknown
Number of Violations Found	4 (33)	9 (8)
Number of Prosecutions Initiated	0 (33)	Unknown
Number of Convictions	3 (33)	75 (8)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (42)	Yes (8)

In 2016, several entities provided training to law enforcement officials on combating human trafficking and child labor laws. The National Police Agency (NPA) reported that 191 officers received training on the new laws on child rights and child protection.(8) The FCYDA organized training on the National Action Plan on Eliminating the Hazardous Work of Children and the revised hazardous work list for 55 local police staff and social workers in 27 counties.

However, despite these capacity-building efforts, police officers reported that there is a general lack of knowledge and training on how to apply criminal trafficking laws to cases of commercial sexual exploitation of children. Authorities use provisions of the Criminal Code that carry less stringent penalties when boys are the victims of human trafficking due to the misconception among government officials that only girls can be victims of human trafficking.(14) As a result, many cases that could have been prosecuted under the human trafficking article of the Criminal Code were instead prosecuted under related articles of the Criminal Code that carry lighter penalties.(20, 42, 43)

NPA investigators use an 11-question risk assessment checklist to help them accurately identify human trafficking victims. Investigators refer victims who meet more than five of the criteria to short- or long-term care facilities.(8)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Coordinating Council to Implement the National Action Plan for the Elimination of the Worst Forms of Child Labor (Coordinating Council)	Guide government efforts on child labor and implementation of the National Action Plan for the Elimination of the Worst Forms of Child Labor. Chaired by the MLSF, with the FCYDA as the lead implementing agency.(8) Comprises 21 organizations.(20, 44)
Anti-Trafficking Sub-Council (Sub-Council)	Coordinate government efforts to combat human trafficking and monitor implementation of anti-trafficking legislation. Function as a part of the Council on Crime Prevention under the MOJIA.(19, 20) Currently has 15 members representing 12 different organizations, including two NGOs.(19)

Following the June 2016 parliamentary elections, personnel changes and government restructuring prevented further meetings of the Coordinating Council to Implement the National Action Plan for the Elimination of the Worst Forms of Child Labor until 2017.(8)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Program for the Elimination of the Worst Forms of Child Labor (2011–2016) and National Action Plan (2014–2016)	Identifies specific actions to combat child labor through 2016 in a National Action Plan for the Elimination of the Worst Forms of Child Labor. Aims to improve legal protection for children and increase children's access to health care and education.(11) Will be included as sub-programs in the new Child Protection Strategy (2017-2020).(8)
State Policy on Herders	Describes the conditions and criteria for engaging children in herding, to eliminate the worst forms of child labor in that sector.(45, 46) Activities include projects to improve housing and access to information for herders and to ensure that herder children receive an education. Each year, the Government sets aside one percent of its budget for implementation of the policy.(39)
National Development Strategy	Calls for improvements in education, health, social welfare, and labor policies through 2020. Priorities include the education, safety, and health of vulnerable children.(47)
Child Protection Strategy (2011–2016)	Aims to provide child welfare programs at the local level in collaboration with NGOs and local government offices. Includes a component related to child labor prevention and elimination.(20, 48)

During the reporting period, the Ministry of Justice and Internal Affairs submitted a draft National Action Plan on Combating Trafficking in Persons for 2017–2021 to the cabinet, which aims to strengthen efforts to prevent and combat different types of human trafficking, including commercial sexual exploitation.(49)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor†

Program	Description
USDOL-Funded Projects	USDOL-funded projects that aim to promote the safety and health of young workers on the job; build the capacity of the national government and legislation; conduct research and data collection; strengthen legal protections and social services delivery for child domestic workers; and increase the public's awareness of children engaged in hazardous work and its negative consequences through posters and television. These projects include <u>Building a Generation of Safe and Healthy Workers: Safe and Healthy Youth</u> , implemented by the ILO with Mongolia as one of the countries, and the <u>Global Action Program (GAP) on Child Labor Issues</u> , implemented by the ILO in approximately 40 countries, including Mongolia. For additional information about USDOL's work, please visit our Web site .
Children's Money Program†	General Agency for Social Welfare and Service, General Agency for State Registration, and Human Development Fund program that distributes approximately \$12 per month to children under age 18 from families in need.(10) Partial continuation of a former program that distributed national profits from mineral resources to funding for health insurance, pensions, and education tuition.(20, 50-52)
School Lunch Program†	Government program that subsidizes meals to encourage low-income children to attend school, particularly at the secondary level.(20)

† Program is funded by the Government of Mongolia.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(8)

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In 2016, the MLSP and FCYDA distributed \$64,104 to local governments in Mongolia for programs aimed at preventing and reducing child labor and supporting the employment of adult family members.(8)

During the previous two reporting periods, two programs that formerly provided shelter and social services to children working on the street were discontinued. The Address Identification Center was converted to a shelter for victims of domestic violence, and the Child Development and Protection Center became an orphanage.(37) This reduction in care centers leaves street children vulnerable to involvement in child labor. Although the Government continued to operate mining, cash transfer, and school lunch programs, research found no evidence that the Government carried out programs specifically designed to assist children working in herding and those working on the street.(8)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Mongolia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including Its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws clearly and comprehensively prohibit the use, procurement, and offering of all children under age 18 for prostitution, the production of pornography, and pornographic performances.	2014 – 2016
	Ensure that the law criminally prohibits the use, procuring or offering of children under age 18 in illicit activities, including in the production and trafficking of drugs.	2016
	Ensure that laws criminally prohibit child trafficking for the purpose of commercial sexual exploitation and forced labor.	2015 – 2016
	Ensure that debt bondage is criminally prohibited.	2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
Enforcement	Increase the number of labor inspectors and investigators responsible for enforcing laws related to child labor, including its worst forms, in order to provide adequate coverage of the workforce.	2014 – 2016
	Institutionalize child labor training for labor inspectors, including by providing refresher courses for current inspectors.	2015 – 2016
	Continue to enforce safety standards for child jockeys, particularly at the community level.	2013 – 2016
	Strengthen the inspection system by permitting the General Agency for Specialized Inspections to conduct unannounced inspections.	2013 – 2016
	Ensure that violations of child labor laws are investigated and charged according to appropriate law articles, and that offenders are promptly prosecuted.	2011 – 2016
	Publish information on the number of labor inspections conducted, the number of child labor violations found, and the number of child labor violations for which penalties were imposed and collected.	2015 – 2016
Social Programs	Restore programs that provide support services, and shelter to children found working on the streets.	2014 – 2016
	Institute programs to address child labor in relevant sectors, including in herding.	2012 – 2016

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Montenegro

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In 2016, Montenegro made a moderate advancement in efforts to eliminate the worst forms of child labor. Information about the Labor Inspectorate's funding was made publicly available, and the police conducted targeted investigations of begging, which resulted in 45 children being rescued and sent to Social Welfare Centers. In addition, the Government approved the Strategy for the Social Inclusion of Roma and Egyptians, which aims to prevent child begging and trafficking through increased school attendance and birth registration. However, children in Montenegro engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation, sometimes as a result of human trafficking. The law has not defined light work for children and allows employees between ages 15 and 18 to work at night in certain circumstances. Victim identification remained an area requiring improvement in order for the Government to combat human trafficking effectively.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Montenegro engage in the worst forms of child labor, including in forced begging and commercial sexual exploitation, sometimes as a result of human trafficking.(1-6) Table 1 provides key indicators on children's work and education in Montenegro.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (%)	5 to 14	18.3 (77,591)
Attending School (%)	5 to 14	91.6
Combining Work and School (%)	7 to 14	19.9
Primary Completion Rate (%)		92.6

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 5, 2013.(8)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Services	Street work, including collecting scrap metal, vending small goods, washing car windows, and begging (1, 4, 9-12)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation as a result of human trafficking (5, 6)
	Forced begging, sometimes as a result of human trafficking (1, 4, 6, 11)
	Domestic work as a result of human trafficking (6, 13)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.




Montenegro is a source, destination, and transit country for children trafficked for forced labor, including forced begging, especially among Roma children.(1, 4, 6, 9, 11) Some Roma girls are sold into servile marriages in Montenegro and Kosovo from Montenegro, where they are also forced into domestic servitude.(6, 13) Children, especially girls, are trafficked for commercial sexual exploitation, internally and transnationally within the region and to Western Europe.(5, 6, 11, 14)

Birth certification is required for attending school in Montenegro. Some Roma, Ashkali, and Egyptian children experience challenges in attaining birth registration, which makes school enrollment difficult, increasing their vulnerability to engage in child labor.(9-11, 14-19) The higher rate of unregistered children is mostly due to registration costs, parents' lack of awareness of the importance of registration, and parents' lack of identification documents.(19, 20) In addition, some children with disabilities, especially in rural areas, experience difficulty accessing education and have limited government social services available.(21, 22)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Montenegro has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Montenegro's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 16 of the Labor Law (23)
Minimum Age for Hazardous Work	Yes	18	Article 17 of the Labor Law (23)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 104 and 106 of the Labor Law; Articles 7–8 of the Regulations on Measures of Protection in the Workplace (23, 24)
Prohibition of Forced Labor	Yes		Articles 28 and 63 of the Constitution (25)
Prohibition of Child Trafficking	Yes		Articles 444–446 of the Criminal Code (26)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 209–211 of the Criminal Code (26)
Prohibition of Using Children in Illicit Activities	Yes		Articles 300–301 of the Criminal Code (26)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		Articles 162–163 of the Law on the Armed Forces (27)
State Voluntary	Yes	18	Articles 162–163 of the Law on the Armed Forces (27)
Non-state Compulsory	Yes		Article 444 of the Criminal Code (26)
Compulsory Education Age	Yes	15	Article 4 of the Law on Primary Education (28)
Free Public Education	Yes		Article 75 of the Constitution (25)

* No conscription (29)

Montenegro ratified the ILO Convention on Night Work, which will take effect in 2017.(30) The Code of Rules for Occupational Safety prescribes workplace protections and prohibits specific hazardous activities for children, including workplaces that would expose them to physical, biological, or chemical hazards.(4, 24) However, street work, an area in

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which there is evidence of children engaged in carrying heavy loads by collecting scrap metal and vending goods, is not prohibited.(4, 12) Light work for children has also not been defined, and the Labor Law allows employees between the ages of 15 to 18 to work at night in circumstances in which it is necessary to continue work interrupted by natural disasters or to mitigate damage to raw or other materials.(23)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Labor Inspectorate	Lead and monitor the enforcement of labor laws, including those that protect working children and working conditions in workplaces throughout the country.(4, 20, 31, 32)
Police Directorate within the Ministry of Interior and Supreme State Prosecutor	Investigate and enforce criminal laws on forced labor and human trafficking for commercial sexual exploitation.(2, 31) Police coordinate law enforcement actions, including identification of victims of human trafficking.(2) Collect data on the number of police investigations, convictions, and court rulings, and submit them to the Office of the National Anti-Trafficking Coordinator (Trafficking in Persons (TIP) Office).(2)
Ministry of Justice	Enforce the Criminal Code by prosecuting crimes against children, including human trafficking, child begging, and child abuse.(32)
Ministry of Labor and Social Welfare (MLSW)	Protect children and families by providing social, child, and family protection in its Social Welfare Centers. Identify potential victims of human trafficking.(2)
Ombudsman's Deputy for the Rights of the Child	Monitor the situation of children in the country, using strategies such as visiting schools and institutions, holding focus groups, and writing blogs for children.(31)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Montenegro took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	\$537,558
Number of Labor Inspectors	34 (4)	35 (12)
Inspectorate Authorized to Assess Penalties	Yes (4)	Yes (33)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	N/A (34)
Training on New Laws Related to Child Labor	Yes (35)	Yes (12)
Refresher Courses Provided	Yes (4)	Yes (13)
Number of Labor Inspections	10,806 (35)	10,063 (34)
Number Conducted at Worksite	10,806 (35)	10,063 (34)
Number Conducted by Desk Reviews	0 (35)	0 (34)
Number of Child Labor Violations Found	25 (4)	12 (12)
Number of Child Labor Violations for Which Penalties Were Imposed	25 (35)	12 (12)
Number of Penalties Imposed that Were Collected	25 (35)	12 (12)
Routine Inspections Conducted	Yes (4)	Yes (33)
Routine Inspections Targeted	Yes (4)	Yes (33)
Unannounced Inspections Permitted	Yes (4)	Yes (33)
Unannounced Inspections Conducted	Yes (4)	Yes (33)
Complaint Mechanism Exists	Yes (35)	Yes (33)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (35)	Yes (33)

The Labor Inspectorate has 14 offices that proactively plan labor inspections, with an increase in inspections during the summer tourist seasons in specific sectors, such as trade and catering.(4, 20, 33) Children found during inspections can be sent to Social Welfare Centers (SWCs) and accommodated in a government-financed, NGO-run shelter for trafficking in persons (TIP) victims.(33) There are 25 labor inspectors that cover employment relations and 9 that cover health safety issues at work. All inspectors monitor the enforcement of child labor.(33) The Government maintains a database on children involved in begging but does not collect or publish data on the worst forms of child labor.(31, 35)

In 2016, resources for the Labor Inspectorate, including the number of labor inspectors and funding, were sufficient according to the Government.(33) Inspectors found, imposed, and collected fines related to 12 violations of child labor in the informal trade sector.(33) Inspectors attended general training on TIP, which included discussions on forced labor, organized by the Office of the Anti-Trafficking Coordinator (TIP Office).(33)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Montenegro took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	N/A (34)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Yes (33)
Refresher Courses Provided	Yes (21)	Yes (13)
Number of Investigations	122 (35)	73 (33)
Number of Violations Found	125 (35)	34 (33)
Number of Prosecutions Initiated	1 (35)	0 (33)
Number of Convictions	0 (4, 21)	0 (33)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (21)	Yes (33)

A three-member police unit investigates TIP and advises local police. In 2016, resources and funding were sufficient according to the Government and international organizations.(33) During the year, labor inspectors, social workers, and representatives received training on identification of victims of human trafficking for labor exploitation and participated in discussions on child labor.(5, 33, 34) The TIP Office also organized trainings for 91 border policemen and 17 representatives of the Police Directorate on early identification of TIP victims.(5, 33)

Children that are found begging or require social assistance can be accommodated in a public institution for up to 30 days while parents are located.(4, 33) When parents are not available, children are referred to local SWCs.(36) Police sent 45 children to SWCs in 2016.(33) In addition, the police continued to run taskforces focusing on identifying victims of commercial sexual exploitation and removing child beggars from the streets.(5) In 2016, 73 investigations related to begging were conducted on 230 individuals, of which 75 were found to be juveniles. However, continuous victim identification training is needed for the police, judiciary, and prosecutors.(4, 5, 21, 34) The Ombudsman for Human Rights has criticized the police and SWCs for insufficiently and inconsistently tracking information on children caught begging.(13) Also of concern was that child beggars were treated as delinquents rather than victims, the SWCs provided services only to a small minority of Montenegrin child beggars, and there was a lack of specialized societal reintegration services.(13, 31, 37)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

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Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Office of the National Anti-Trafficking Coordinator (TIP Office)	Coordinate efforts, projects, and legislation against trafficking in persons and the worst forms of child labor among relevant government institutions and international organizations.(2, 22) Collect and maintain data on investigations and court rulings. A task force monitors and promotes activities related to combating human trafficking, and assesses progress of objectives established in action plans.(2, 22) Includes government representatives, NGOs, and international organizations, and held a meeting in 2016. The Government increased TIP Office and shelter funding and held a forced begging awareness campaign in 2016.(5, 34)
Council for the Rights of the Child	Implement and monitor the National Plan for Children 2013–2017 and the Government’s commitments pursuant to the CRC, and initiate adoption of legislation to promote and protect the rights of children. Chaired by the Minister of Labor and Social Welfare.(3, 34, 38) Met once in 2016.(39)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plan of Action for Children (2013–2017)	Defines and protects children and children’s rights.(31, 34) Outlines a strategy to fulfill CRC obligations. Goals include preventing hazardous and exploitative child labor and child trafficking, increasing birth registration, ensuring inclusive education, and improving social services for street children.(38) Monitors and reports yearly progress.(12)
Strategy for Improving the Position of Roma and Egyptians in Montenegro (2012–2016)	Addresses policies, education, and child protection for Roma and other minorities. Implemented by the Ministry for Minority and Human Rights.(31, 32) Goals include increasing birth registration through campaigns and eliminating begging among Roma and Egyptian children.(18) In 2016, more than 80 percent of refugees and internally displaced persons were provided with documentation.(34)
Strategy for the Social Inclusion of Roma and Egyptians (2016–2020)†	Aims to create social inclusion of Roma and Egyptians by increasing school attendance and birth registration, and preventing child begging and human trafficking. Implemented by the Ministry for Minority and Human Rights.(40)
Guidelines for the Treatment of Unaccompanied Minors	Provides accommodation, protection, and rehabilitation for minors and other vulnerable groups. Implemented by the MLSW.(41, 42)
UNICEF Country Program (2016–2021)†	Addresses access to social services for children, synchronizes the legal framework with EU and UN standards, implements and monitors policies relevant to children, and applies the principles of the CRC.(13, 17, 43)
National Strategy for Combating Human Trafficking (2012–2018)	Outlines objectives for combating human trafficking by raising public awareness, strengthening the capacity for victim identification and service provision, improving interagency coordination, and raising the efficiency of prosecutions.(21, 44) The strategy and yearly action plan are evaluated and adopted through reports prepared through government and civil society collaboration.(21) In 2016, the Government passed an action plan for 2016 outlining specific activities, partners, and indicators of success.(45)
Strategy for the Development of Social and Child Protection (2013–2017)	Builds an integrated social and child protection system, including monthly social assistance, health care, and a child allowance that is conditional on school attendance.(46, 47)

† Policy was approved during the reporting period.

In 2016, the Government did not include child labor elimination and prevention strategies in the Strategy for the Development of Social and Child Protection.(48) Research could not determine if the National Plan of Action for Children and Strategy for the Development of Social and Child Protection were active.(13)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
Social Welfare and Child Care System Reform: Enhancing Social Inclusion (2013–2017) [†]	\$4.5 million, 4-year project sponsored by the Ministry of Education and the MLSW. Implemented by the Government, the UNDP, and UNICEF to strengthen protection for children under the Strategy for the Development of Social and Child Protection, including inclusive education and child care system reform.(35, 46)
Shelter for Victims of Human Trafficking, Forced Begging, and Forced Marriages [‡]	Run by the NGO Montenegrin Women’s Lobby and the Government, and provides accommodations for children who are separated from adults and victims of forced begging and forced marriages.(33) In 2016, three female children who were victims of human trafficking, including forced begging, were housed.(33) The Government allocated \$29,697 to the shelter in 2016.(34)
Hotline for Victims of Human Trafficking	SOS Hotline [†] funded by the TIP Office and run by the NGO Montenegrin Women’s Lobby. Provides advice, connects victims with service providers, and raises public awareness.(2, 21) In 2016, the Hotline received 414 calls with 15 being from potential TIP victims. SOS Hotline for Victims of TIP, operated by the NGO SOS Niksic, received 3,384 calls in 2016.(34)

[†] Program is funded by the Government of Montenegro.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(3-5, 20, 33, 35)

Research could not determine if the Social Welfare and Child Care System Reform was active in 2016. In addition, research found no evidence of programs to systematically address child labor in street work, forced begging, and commercial sexual exploitation.(5, 13)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Montenegro (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Define light work and ensure that children do not work in night work and carrying heavy loads.	2012 – 2016
Enforcement	Provide comprehensive training on effectively representing potential TIP victims to lawyers assigned to these cases.	2015 – 2016
	Ensure that all children removed from begging are treated as victims and are provided with social services to prevent reentry into street work, regardless of citizenship or birth registration.	2012 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into national policies for all children, including in the Strategy for the Development of Social and Child Protection.	2013 – 2016
	Ensure that the National Action Plan for Children and Strategy for the Development of Social and Child Protection fulfill their mandated obligations.	2016
Social Programs	Make additional efforts to register children from the Roma communities.	2012 – 2016
	Build the capacity of schools and other services and programs to accommodate and provide services to children with disabilities.	2015 – 2016
	Collect data on children involved in the worst forms of child labor in order to enhance policymakers’ ability to identify problems more accurately and to address them more effectively.	2016
	Ensure that the Social Welfare and Child Care System Reform are active.	2016

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In 2016, Morocco made a significant advancement in efforts to eliminate the worst forms of child labor. The Government passed the Law on Trafficking in Human Beings, improving protections for children vulnerable to trafficking, and the Law on Setting Up Employment Conditions of Domestic Workers, limiting the employment of children between the ages of 16 and 18 for domestic work. The Government also removed children found to be engaged in hazardous work as a result of labor inspections and launched an implementation plan for the Integrated Public Policy on the Protection of Children in Morocco, which aims to protect children from the worst forms of child labor. In addition, the Government continued to fund the Tayssir Conditional Cash Transfer Program, providing direct cash transfers of between \$7 and \$16 a month to qualifying families whose children meet school attendance criteria. However, children in Morocco perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation. The number of labor inspectors is insufficient to effectively enforce child labor laws. In addition, although the Government of Morocco has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Morocco perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation. (1-10) Government statistics from 2015 showed 59,010 children ages 7 to 15 working; however, the Government does not make its data on child labor statistics publicly available. (11) Table 1 provides key indicators on children's work and education in Morocco.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	4.5 (150,178)
Attending School (%)	6 to 14	82.9
Combining Work and School (%)	10 to 14	0.7
Primary Completion Rate (%)		102.9

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016. (12)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Enquête sur la Population et la Santé Familiale, 2003–2004. (13)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Planting and harvesting argan, grain, olives, vegetables, and fruits (1)
	Herding goats, cattle, and sheep and raising them for the production of fertilizer, and cattle for the production of milk and butter (1, 2)
	Fishing (4, 14-16)
	Forestry, activities unknown (4, 15, 16)
Industry	Construction, including in carpentry [†] (5, 14, 17, 18)
	Weaving textiles (2, 14, 19)
Industry	Producing artisanal crafts (4, 5, 17, 20)
	Metallurgy, including welding (2, 5, 17, 18)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Industry	Producing artisanal crafts (4, 5, 17, 20)
	Metallurgy, including welding (2, 5, 17, 18)
Services	Begging (21-23)
	Domestic work (4, 6, 20, 22-26)
	Working as salespersons in stores and as tour guides (17)
	Tailoring textiles (17, 19)
	Working as waiters in cafés or restaurants† (17)
	Maintenance and repair of motor vehicles (2, 19, 22)
	Street vending (2, 17, 27)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (5-10, 14, 22, 23)
	Forced domestic work, sometimes as a result of human trafficking (4-7, 14, 22, 24, 25, 28)
	Begging as a result of human trafficking (5-7)
	Illegal sand extraction (29)
	Forced labor in the production of artisanal crafts and construction (14, 22)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Morocco is a source, destination, and transit country for children subjected to forced labor and sex trafficking.(8-10, 22, 23)




Some rural Moroccan girls, sometimes as young as six according to local union observations, as well as girls from Cameroon, Côte d’Ivoire, Democratic Republic of the Congo, Nigeria, and Senegal, are recruited for domestic work in private urban homes. These girls then become victims of forced labor, and some are subjected to physical and verbal abuse, excessive working 100 or more hours per week, without rest or days off, and no access to educational opportunities.(7, 10, 14, 22, 24, 30)

Inadequate transportation, distance from schools, and prohibitive costs, associated with attending school, along with lack of security and inclusiveness, create barriers for children to access education and increase vulnerability to child labor, especially in rural areas.(1, 4, 7, 31-35) In addition, children with disabilities face additional barriers to education.(7, 14, 36) Some migrant children, particularly unaccompanied children from sub-Saharan Africa, as well as rural children, face barriers to accessing education, such as the language of instruction. Furthermore, because birth certificates are required to attend school past the fifth grade, many unregistered children remain out of school and vulnerable to child labor.(14, 21, 37-39) In 2016, the Government announced a second regularization campaign to improve access to education for migrant children.(33)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Morocco has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Morocco's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	15	Article 143 of the Labor Code (40)
Minimum Age for Hazardous Work	Yes	18	Article 147 of the Labor Code (40)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Child Labor List, Decree No. 2-10-183; Article 181 of the Labor Code (40, 41)
Prohibition of Forced Labor	Yes		Article 10 of the Labor Code (40)
Prohibition of Child Trafficking	Yes		Articles 448.1, 448.4, and 448.5 of the Law on Trafficking in Human Beings (42)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 503 of the Penal Code (43)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 4 of Royal Decree of 9 June 1966 (44)
Non-state Compulsory	Yes	18	Article 448.1 and 448.4 of the Law on Trafficking in Human Beings (42)
Compulsory Education Age	Yes	15	Article 1 of Law No. 04-00 (45)
Free Public Education	Yes		Article 1 of Law No. 04-00 (45)

* No conscription (46)

In 2016, Morocco passed the Law on Trafficking in Human Beings, which is consistent with the Palermo Protocol and other international agreements.(42, 47) The Government also passed the Law on Setting Up Employment Conditions of Domestic Workers that provides protections for child domestic workers, setting the minimum age at 16 for domestic work and 18 for hazardous domestic work; permits labor inspectors to mediate disputes between employers and domestic workers; and authorizes the Government to prosecute intermediaries who traffic children for labor exploitation.(47-50)

The Ministry of Justice began drafting supplementary provisions and amendments to the penal code aimed at increasing penalties in cases involving the facilitation of the use of narcotic drugs by a minor and in cases involving providing access to narcotic drugs to minors in schools.(33)

Minimum age protections in the Labor Code do not apply to self-employed children, those who work in the traditional artisan or handicraft sectors for businesses with fewer than five employees, or those who work in private farms and residences, leaving children vulnerable to exploitation.(6, 14, 40, 51, 52) The types of hazardous work prohibited for children do not fully cover sectors in which child labor is known to occur, and sectors in which work may be undertaken in conditions that harm children's health, safety, and morals.(41)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law enforcement remain and some enforcement information is not available.

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment and Social Affairs	Enforce child labor laws and oversee programs on child labor through its child labor task force. Employ labor inspectors in 51 inspectorates across Morocco; dedicate at least one of the 53 child labor inspectors to each inspectorate.(4, 6, 39) Provide occupational health and safety services, administer social security, and organize labor inspections and employment services through nationwide satellite offices.(4)
Ministry of the Interior	Enforce prohibitions on prostitution and other exploitative crimes involving minors as established in the Penal Code.(6, 53)
Ministry of Justice and Liberties	Prosecute criminal offenses against children, such as commercial sexual exploitation and child trafficking, and violations of labor laws.(6, 54) The Ministry's Child Labor Units process cases involving women and children within the court system.(2)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Morocco took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown* (55)	Unknown (33)
Number of Labor Inspectors	409 (6, 55)	356 (56)
Number of Child Labor Dedicated Inspectors	53† (5, 6, 55)	53 (33, 56)
Inspectorate Authorized to Assess Penalties	No (55)	No (33)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Yes (33)
Training on New Laws Related to Child Labor	N/A	Yes (33)
Refresher Courses Provided	Yes (55)	Yes (33)
Number of Labor Inspections	247† (5, 55)	543 (57)
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	292† (55)	314 (56)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (55)	N/A (33)
Number of Penalties Imposed That Were Collected	N/A (55)	N/A (33)
Routine Inspections Conducted	Yes (55)	Yes (33)
Routine Inspections Targeted	Unknown	Yes (33)
Unannounced Inspections Permitted	Yes (55)	Yes (33)
Unannounced Inspections Conducted	Yes (55)	Yes (33)
Complaint Mechanism Exists	Yes (55)	Yes (33)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Yes (33)

* The Government does not publish this information.

† Data are from January 1, 2015 to June 30, 2015.

In 2016, labor inspectors issued 79 formal notices, 15 fines, and 3 official reports in the course of 543 child labor inspections.(57) They removed 80 children under age 15 from work, and 166 children between ages 15 and 17 from hazardous work.(57) The sectors most frequently inspected included trade, agriculture, and metal and wood work, with 22 inspectors dedicated to agriculture and 23 engineers and 18 physicians in charge of health and safety labor inspections.(39, 56) Inadequate resources, including an insufficient number of inspectors, hamper the labor inspectorate's capacity to enforce child labor laws.(6, 33, 55, 58) The number of labor inspectors is insufficient for the size of Morocco's workforce, which includes over 12 million workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in industrializing economies, Morocco should employ roughly 815 inspectors.(55, 59, 60) The official procedures involved with processing child labor violations require the participation of several agencies per case, which places considerable administrative burdens on labor inspectors.(2) Lastly, government officials, local stakeholders, and the ILO Committee of Experts on the Application of Conventions and Recommendations report that the penalties against companies that employ children in hazardous work, set forth in the Labor Code, are ineffective deterrents.(51, 55)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Morocco took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown (33)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes(39)
Refresher Courses Provided	Yes (5, 6, 55)	Yes (33)
Number of Investigations	Unknown (5)	7 (39)
Number of Violations Found	Unknown (5)	3 (39)
Number of Prosecutions Initiated	Unknown (5)	3 (39)
Number of Convictions	Unknown (5, 6)	3 (39)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (6, 61)	Yes (33)

In 2016, the Government, in partnership with international organizations, provided regular anti-trafficking trainings to judicial and law enforcement officials on trafficking in persons, noting the distinctions among trafficking, smuggling, and irregular migration.(22, 23, 33) Criminal authorities refer victims to appropriate social services through coordination with the 53 Ministry of Employment and Social Affairs dedicated child labor inspectors and other government entities and civil society actors.(33)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Technical Committee Under the Special Ministerial Commission for Children for the Protection and Improvement of Childhood	Ensure inter-sectoral coordination and monitoring of the implementation of international conventions on the issue of children through a committee of 25 government bodies, chaired by the President of the Government of the Kingdom of Morocco. Establish strategies and mechanisms to implement national policies and plans in the area of child protection and in coordination efforts managed primarily at the local and regional levels.(39)
Ministry of Employment and Social Affairs	Coordinate policies and efforts to combat child labor, providing guidance and limited funding to NGOs working against child labor through its Office for the Fight Against Child Labor.(2, 4, 62)
Ministry of Solidarity, Women, Family, and Social Development (MSWFSD)	Establish continuity of child protection and child labor elimination efforts to expand children's access to education.(53, 63) Responsible for implementing the Integrated Public Policy on the Protection of Children.(5, 6) Support 142 Child Reception Centers that provide services to child victims of violence.(39)
Ministry in Charge of Residents and Migration Affairs	Coordinate efforts to reduce migrant vulnerability to child labor. Promote migrant children's access to public education facilities in addition to other social services and assistance.(4, 57)
Ministry of National Educational and Vocational Training (MONEVT)	Provide education and job training to former child workers, including former child domestic workers and migrant youth.(22, 39)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
MSWFSD's Integrated Public Policy on the Protection of Children in Morocco (PPIPEM)	Promotes an interdisciplinary approach to respond to child exploitation, among other issues.(4-6) In 2016, MSWFSD launched a National Implementation Program that defines the necessary measures to reach the five strategic objectives of the PPIPEM and the responsibilities of each Government of Morocco entity including deadlines, and monitoring and evaluation indicators.(33, 56, 64, 65)

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The Government has not included child labor elimination and prevention strategies into the National Migration Strategy and UNDAF.(2, 4, 66-68)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
USDOL-Funded Projects to Address Child Labor	USDOL projects in Morocco aim to reduce child labor by increasing access to education, by providing livelihood and other social services, and by improving the evidence base on child labor and forced labor through data collection and research in Morocco. These projects include Promise Pathways: Reducing Child Labor Through Viable Paths in Education and Decent Work (2014–2017), \$5 million project implemented by Creative Associates; Wad3éyati (My Situation: Promoting Gender Equality in the Workplace) , \$1.25 million project implemented by Management Systems International; and Global Action Program on Child Labor Issues , implemented in approximately 40 countries by the ILO.(4, 56, 69, 70) For additional information about USDOL's work, please visit our website .
Tayssir Conditional Cash Transfer Program [†]	MONEVT program that provides direct cash transfers of between \$7 and \$16 a month to qualifying families whose children meet school attendance criteria and that aims to increase school enrollment and reduce dropout rates, particularly in rural areas, with 832,500 beneficiaries in 2015–2016 and an estimated 2016–2017 budget of \$77.7 million.(4, 18, 27, 53, 57, 71)
Entraide Nationale [†]	Program to prevent child labor by improving school retention rates, in particular for girls in rural areas. Coordinates with MSWFSD and provides social services and manages education and literacy programs in MSWFSD's social protection centers, <i>Dar al Atfal</i> , <i>Dar Talib</i> , and <i>Dar Taliba</i> , and two education, training, and integration programs for vulnerable children—Education and Training Centers and Apprenticeship Training Programs.(33, 56) In 2016, the Government of Morocco reported that there were 22 Child Protection Centers managed by <i>Entraide Nationale</i> , with 2,161 beneficiaries, providing the following services: preventive intervention; personal, social, and educational support for minors; prevention of situations of child vulnerability; emergency response; and prevention and early intervention in situations of violence perpetrated against minors.(33, 56)
Government-Funded Shelters [†]	Government-operated shelters that include Child Protection Centers, operated by the Ministry of Youth and Sport, which provide social and educational services to minors referred by the courts, along with victims of abuse, child laborers, and street children, and 96 Child Reception Centers, operated by the National Observatory for Children's Rights and staffed by nurses and social workers, which operate at major hospitals to provide medical services to victims of violence and trafficking in persons.(55, 72, 73) In 2016, research was unable to determine whether activities were undertaken.(39)
After-School Program for a Second Chance (E2C) [†]	Program that provides students with afterschool educational assistance as part of non-formal education program engagement. During the 2015–2016 school year, 70,000 students benefited from enrollment in E2C programs, and these programs included an education integration component for 721 migrant children.(5, 55)
USAID-Funded Projects to Address Child Labor	USAID projects in Morocco that aim to increase the social and economic inclusion of at-risk youth (10–24-year-olds) living in marginalized neighborhoods of Tangier and Tetouan. These projects include Favorable Opportunities to Reinforce Self-Advancement for Today's Youth (FORSATY) (2012–2017), \$8.7 million project implemented by Search for Common Ground.(55)

[†] Program is funded by the Government of Morocco.

[‡] The Government had other programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(2, 4-6, 55, 56)

Although the Government has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem.(4, 33, 74)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, the following actions would advance the continued elimination of child labor, including its worst forms, in Morocco (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws prohibit children from being used, procured, or offered for the production and trafficking of illicit drugs.	2015 – 2016
	Ensure that all children are protected by law, including children who are self-employed, work for artisan businesses with fewer than five employees, or work in private farms and residences.	2009 – 2016
	Ensure that the types of hazardous work prohibited for children are comprehensive.	2016
Enforcement	Publish information on the funding of the labor inspectorate and the number of inspections conducted at worksites and by desk review.	2015 – 2016
	Increase the number of labor inspectors responsible for enforcing laws related to child labor to meet the ILO recommendation, and ensure adequate labor inspectorate resources.	2012 – 2016
	Streamline child labor enforcement procedures among government agencies.	2013 – 2016
	Publish information on the training system for criminal law enforcement investigators.	2012 – 2016
	Increase penalties for those who employ children in hazardous work.	2012 – 2016
	Release publicly government data on child labor statistics.	2016
Policies	Continue integration of child labor elimination and prevention strategies into the National Migration Strategy and UNDAF policies.	2014 – 2016
Social Programs	Take measures to ensure children's safety in schools and remove barriers to education, especially for children with disabilities and rural children, and increase birth registration rates.	2013 – 2016
	Expand existing programs to address the scope of the child labor problem.	2013 – 2016
	Undertake activities in support of government-funded shelters.	2016

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In 2016, Mozambique made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government released the results of a child labor study. However, children in Mozambique perform dangerous tasks in the production of tobacco. Children also engage in the worst forms of child labor, including in domestic work. The law does not prohibit hazardous occupations or activities for children. It establishes 15 as the minimum age for work, but education is compulsory only until age 13, leaving children ages 13 and 14 vulnerable to child labor. Law enforcement agencies lack the capacity to adequately address the scope of child labor in the country, including its worst forms. In addition, the Government does not have a mechanism to coordinate its efforts to address all of the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mozambique perform dangerous tasks in the production of tobacco. Children also engage in the worst forms of child labor, including in domestic work. (1-4) Table 1 provides key indicators on children's work and education in Mozambique.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	22.5 (1,526,560)
Attending School (%)	5 to 14	69.5
Combining Work and School (%)	7 to 14	22.4
Primary Completion Rate (%)		47.9

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Clusters Survey 3, 2008.(6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of cashews, cotton, rice, sesame, sugarcane, tea, and tobacco (1-4, 7-13)
	Fishing, including preparing nets (7, 9)
	Forestry, activities unknown (7)
	Cattle herding (9)
Industry	Mining, including gold and gemstones (4, 9, 12, 14-18)
	Construction, including crushing stone and making bricks (9, 18)
Services	Domestic work, including caring for babies and other children (1-3, 9, 11, 15, 19, 20)
	Street work, including car washing, street vending, garbage scavenging, collecting scrap metal, and begging (4, 7, 9-13, 20-25)
	Selling alcoholic beverages in markets (11, 24)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (4, 9, 12, 13, 18, 26-31)
	Forced labor in agriculture, domestic work, mining, and vending, each sometimes as a result of human trafficking (9, 10, 15, 16, 29)
	Use in illicit activities, including stealing and assisting poachers in the illegal poaching industry (9, 11)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.




Mozambican children, lured from rural areas with promises of work and educational opportunities, are subjected to forced domestic work and commercial sexual exploitation in urban areas in Mozambique and South Africa.(10, 15, 29, 30, 32) Girls from Malawi, Swaziland, and Zimbabwe voluntarily migrate to Mozambique, where they subsequently become victims of commercial sexual exploitation and forced domestic work.(13, 27, 29) Research indicates that Mozambican children, particularly boys, are sometimes trafficked to South Africa for forced labor in agriculture, mining, and street vending.(10, 29)

Although tuition for primary education is free, families must provide supplies and uniforms.(13) Moreover, there are not enough schools; many students face difficulties traveling long distances to get to school, particularly in rural areas.(23, 33, 34) In addition, physical and sexual abuse is common in schools. Research found that some teachers demand sex from female students to promote them to the next grade.(13, 35)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Mozambique has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Mozambique's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	15	Article 26 of the Labor Law; Article 4 of the Regulations on Domestic Work (36, 37)
Minimum Age for Hazardous Work	Yes	18	Article 23 of the Labor Law (37)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Articles 5, 10, and 11 of the Trafficking in Persons Law; Articles 196 and 198 of the Penal Code (38, 39)
Prohibition of Child Trafficking	Yes		Articles 5, 10, and 11 of the Trafficking in Persons Law (38)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 5, 10, and 11 of the Trafficking in Persons Law; Articles 226 and 227 of the Penal Code (38, 39)
Prohibition of Using Children in Illicit Activities	Yes		Articles 33 and 40 of the Law on Drugs (40)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Article 2 of the Law on Military Service (41)
State Voluntary	Yes	18	Article 23 of the Law on Military Service (41)
Non-state Compulsory	Yes		Articles 5 and 10 of the Trafficking in Persons Law (38)
Compulsory Education Age	No	13 [‡]	Article 41 of the Law of Basic Child Protection (42, 43)
Free Public Education	Yes		Article 41 of the Law of Basic Child Protection (42)

[‡] Age calculated based on available information(42,43)

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The Labor Law's minimum age protections do not apply to children working outside of formal employment relationships.(37, 43, 44)

The Regulations on Domestic Work allow children ages 12 to 15 to conduct domestic work with the permission of their legal guardian.(36) The Labor Law also states that children ages 12 to 15 may work under certain conditions defined by the Council of Ministers.(37) The minimum age of 12 for light work is not in compliance with international standards; the law does not determine the activities in which light work may be permitted, prescribe the number of hours per week for light work, or specify the conditions under which light work may be undertaken.(43)

The gap between the end of compulsory education and the minimum age for work leaves children ages 13 and 14 vulnerable to child labor, including its worst forms, because they are not in school, but they also may not legally work.(43)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and most enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Employment, and Social Security	Enforce laws and regulations on child labor.(45) The Labor Inspectorate works with the National Police Force to enforce criminal law.(7)
National Police Force	Enforce all criminal laws, including those related to the worst forms of child labor.(7) The Criminal Investigation Branch has a seven-person unit devoted to anti-human trafficking and violence against women and children; investigates cases and refers them to the Attorney General's Office.(7)
Attorney General's Office	Coordinate the Government's efforts against human trafficking and receive cases from the criminal investigation branch of the National Police Force for prosecution.(7, 46)

Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in Mozambique took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown (47)
Number of Labor Inspectors	Unknown (45)	Unknown
Inspectorate Authorized to Assess Penalties	Yes (45)	Yes (47)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Yes (48)
Training on New Laws Related to Child Labor	Unknown	N/A
Refresher Courses Provided	Unknown	Unknown
Number of Labor Inspections	Unknown	Unknown (47)
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	Unknown	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown
Number of Penalties Imposed that Were Collected	Unknown	Unknown
Routine Inspections Conducted	No (45)	Unknown
Routine Inspections Targeted	No (45)	Unknown
Unannounced Inspections Permitted	Yes (45)	Yes (47)
Unannounced Inspections Conducted	Unknown	Unknown

Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Complaint Mechanism Exists	Unknown	Yes (47)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (49)	Yes (47)

The Government reported that the number of labor inspectors is insufficient.(47) Furthermore, inadequate training and resources hamper the labor inspectorate's capacity to enforce child labor laws.(47, 50)

Ministry of Labor, Employment, and Social Security officials can refer victims of child labor to either the police or social workers from the Ministry of Gender, Children, and Social Action (MGCAS) for family assessment and potential placement of the children in foster homes.(51)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Mozambique took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Yes (52)	N/A
Refresher Courses Provided	Unknown	Yes (53)
Number of Investigations	Unknown	Unknown
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (49)	Yes (47)

Research found that law enforcement officials responsible for investigating and prosecuting criminal child labor cases are poorly trained.(9, 50) Many cases are of very low quality and lack appropriate evidence for prosecution.(7)

In 2016, the Government drafted a national referral mechanism for victims of human trafficking.(48, 53) Criminal law enforcement officials referred nine potential child trafficking victims to a MGCAS transit center. MGCAS worked with an international organization to return the children to their communities and provide reintegration assistance.(47) Research did not find referral mechanisms for victims of other worst forms of child labor.

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established a coordination mechanism on human trafficking, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Reference Group for the Protection of Children and Combating Trafficking in Persons	Coordinate efforts to combat all forms of human trafficking. Led by the Attorney General's Office.(52) Provincial level groups coordinate regional efforts to combat human trafficking.(29) In 2016, 30 representatives from member institutions were trained on victim identification.(53) Provincial groups coordinated child labor awareness campaigns in urban and rural areas.(53)
National Council on the Rights of the Child	Coordinate efforts to promote the welfare of children. Led by the Ministry of Gender, Children, and Social Action (MGCAS).(54)
National Commission on Children's Rights	Oversee and report on children's rights in Mozambique to the African Charter and other international bodies; perform consultations and deliberations on national action plans and legislation. Led by MGCAS.(51)

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Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor (cont)

Coordinating Body	Role & Description
The Ministry of Interior's Women and Children Victim Assistance Units (GAMC)	Provide services to children who have been victims of crimes, including human trafficking. Officials operated facilities throughout the country in more than 215 police stations.(29, 55)
MGCAS	Provide support and reintegration services to victims of human trafficking.(46)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
National Action Plan for Children II (2013–2019)	Establishes four priority areas: child survival, child development, child protection, and child participation. Aims to reduce child labor in the area of child protection.(56)

[‡] The Government had other policies which may have addressed child labor issues or had an impact on child labor.(57)

Research was unable to determine whether activities were undertaken to implement the National Action Plan for Children II during the reporting period. The Government has not included child labor elimination and prevention strategies in the Education Strategic Plan.(58)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
USDOL-funded Project	The Global Action Program on Child Labor Issues (GAP) is implemented in at least 40 countries by the ILO.(59) In 2014, the Government began analyzing national child labor data from the Mozambique Integrated Household Survey ; however, the Government has not yet developed a final report presenting the study's findings.(44) For additional information about USDOL's work, please visit our Web site .
Trafficking in Persons Project (2014–2017)	\$750,000, USDOS-funded, 3-year project implemented by IOM to support the establishment and institutionalization of services for victims of human trafficking.(60)
Cash Transfer Program [†]	Government and donor-funded program that provides cash transfers to children heads of households until age 18.(7, 61)
Programs For Street Children [†]	Government and civil society operate 176 shelter centers that provide education, occupational training activities, health, and psychosocial care for street children.(61, 62)
Victims of Violence Centers [†]	Government-funded program implemented by GAMC that provides temporary shelter, food, limited counseling, and monitoring for victims of crime following reintegration. There are 22 centers located throughout the country.(29, 46)
Speak Child-116	NGO-funded program that works with the Government to run a hotline to receive complaints of child abuse, including those related to child labor and sexual exploitation.(44) Research found that the hotline lacks adequate equipment and human resources and has not received sufficient support from the Government to respond to complaints.(63)

[†] Program is funded by the Government of Mozambique.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(64, 65)

In June 2016, the Government presented the results of a child labor study conducted in collaboration with Eduardo Mondlane University.(66) The study found that 79 percent of children in Mozambique work in agriculture; children also were found working in commerce, construction, mining, and commercial sexual exploitation.(18)

Research found no evidence that the Government has carried out programs to assist children engaged in domestic work. The scope of existing programs also is insufficient to fully address the extent of the child labor problem.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Mozambique (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all children are protected by law, including children working outside of formal employment relationships.	2015 – 2016
	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2009 – 2016
	Raise the minimum age for light work to 13 to comply with international standards. Establish the activities, number of hours per week, and conditions under which light work may be undertaken.	2015 – 2016
	Raise the age of compulsory education to be consistent with the minimum age for employment.	2009 – 2016
Enforcement	Make law enforcement information publicly available, including the Labor Inspectorate's funding, the number and training of labor inspectors, the number and type of labor inspections conducted, the number of child labor violations found, the number of penalties imposed and collected; as well as the training of investigators responsible for enforcing laws related to the worst forms of child labor, the number of investigations conducted, violations found, prosecutions initiated, and convictions achieved.	2009 – 2016
	Allocate sufficient resources for law enforcement agencies, including by increasing the number of labor inspectors to provide adequate coverage of the workforce.	2009 – 2016
	Provide labor inspectors with adequate training on child labor and provide adequate training to criminal law enforcement officials to ensure violators are prosecuted.	2009 – 2016
	Establish referral mechanisms to link all victims of the worst forms of child labor with the appropriate social services.	2014 – 2016
Coordination	Establish coordinating mechanisms to combat child labor, including in all its worst forms.	2010 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into the Education Strategic Plan.	2010 – 2016
	Take steps to implement the National Action Plan for Children II.	2016
Social Programs	Take measures to ensure all children have access to education by providing supplies and establishing an adequate number of schools. Take steps to prevent and protect children from physical and sexual abuse in schools.	2010 – 2016
	Make the results of the child labor study publicly available and use the findings to inform policies and programs.	2015 – 2016
	Increase coordination with the Speak Child-116 hotline to ensure child labor complaints are investigated.	2016
	Institute programs to address child labor in domestic work and expand existing programs to address the scope of the child labor problem.	2010 – 2016

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Namibia

MODERATE ADVANCEMENT

In 2016, Namibia made a moderate advancement in efforts to eliminate the worst forms of child labor. During the year, the Government developed a draft National Action Plan Against Child Labor and Domestic Work, participated in the Combatting Human Trafficking Initiative implemented by the IOM, and reactivated the Inter-Ministerial Committee on Child Labor. Children in Namibia perform dangerous tasks in cattle herding. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. The key legislative gap is that hazardous work prohibitions for children in the agriculture sector are not comprehensive. There are no existing social programs that specifically target child labor in agriculture.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Namibia perform dangerous tasks in cattle herding. Children also engage in the worst forms of child labor, including commercial sexual exploitation, sometimes as a result of human trafficking. (1-4) Table 1 provides key indicators on children's work and education in Namibia. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		86.5

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2016.(5)
Data were unavailable from Understanding Children's Work Project's analysis, 2016.(6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Tending and herding livestock, including cattle, sheep, and goats (1, 4, 7-9)
Services	Domestic work (8-14)
	Working in bars called <i>shebeens</i> (9, 15)
	Street work, including selling candies, fruits, handicrafts, and cell phone air time vouchers (15, 16)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (4)
	Forced labor in agriculture, cattle herding, and domestic work, each sometimes as a result of human trafficking (4, 9, 15)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.




Children are trafficked within the country for forced labor in agriculture, cattle herding, domestic work, and commercial sexual exploitation. San and Zemba children are particularly vulnerable to forced labor on farms or in homes.(4) Children from Angola, Zambia, and Zimbabwe are sometimes trafficked into the country for commercial sexual exploitation and forced labor in fishing and street work. Some Angolan children are trafficked into Namibia for forced labor in cattle

herding.(4) Children orphaned as a result of HIV/AIDS are particularly vulnerable to child labor.(4, 8, 15) The Government has not collected and published data on child labor, including its worst forms, to inform policies and social programs.

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Namibia has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Namibia's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Chapter 2, Article 3(2) of the Labor Act (17)
Minimum Age for Hazardous Work	Yes	18	Article 15(2) of the Constitution; Chapter 2, Article 3(4) of the Labor Act (17, 18)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Chapter 2, Articles 3(3)(d) and 4 of the Labor Act; Section 234 of the Child Care and Protection Act (17, 19)
Prohibition of Forced Labor	Yes		Article 9 of the Constitution; Chapter 2, Article 4 of the Labor Act; Section 15 of the Prevention of Organized Crime Act; Articles 202 and 234 of the Child Care and Protection Act (17-20)
Prohibition of Child Trafficking	Yes		Section 15 of the Prevention of Organized Crime Act; Sections 202 and 234 of the Child Care and Protection Act (19, 20)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 2 of the Combating of Immoral Practices Act Amendment Act; Section 234 of the Child Care and Protection Act (19, 21)
Prohibition of Using Children in Illicit Activities	Yes		Section 234 of the Child Care and Protection Act (19)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Chapter 9 of the Namibian Defense Force Personnel Policies (22)
Non-state Compulsory	Yes	18	Section 234(1)(b) of the Child Care and Protection Act (19)
Compulsory Education Age	Yes	16	Section 53 of the Education Act (23)
Free Public Education	Yes		Section 38 of the Education Act (23)

* No conscription (24)

The types of hazardous work prohibited for children do not specifically include livestock herding, where there is evidence of work under particularly difficult conditions.(25) The MLIREC reported that it drafted additional hazardous work prohibitions, but these have not been approved.(16, 22, 26) The Government in 2015 drafted the National Human Trafficking Bill to extend protections to victims of trafficking and establish specific criminal penalties to punish traffickers, but it has not been finalized and passed into law.(13, 27)

Namibia

MODERATE ADVANCEMENT

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Industrial Relations and Employment Creation (MLIREC)	Enforce child labor laws and investigate allegations of violations, including forced labor and cases involving human trafficking and commercial sexual exploitation of children.(1, 10, 28) Work with the Ministry of Safety and Security (MSS); Ministry of Gender, Equality, and Child Welfare (MGECW); Namibia Central Intelligence Service; and Ministry of Education (MOE) on child labor matters.(1, 10) Lead these ministries in joint inspection teams.(1, 10, 28)
Ministry of Safety and Security (MSS)	Enforce criminal laws and conduct site visits with labor inspectors.(1, 10) The MSS through the Namibian Police handles enforcement.(10)
Ministry of Gender, Equality, and Child Welfare (MGECW)	Collaborate with the Namibian Police's Gender Based Violence Protection Units (GBVPU) on cases involving human trafficking and commercial sexual exploitation of children.(10, 28, 29) Remove children from child labor situations during inspections and take them to a regional GBVPU to receive assistance from MGECW social workers or one of eight MGECW shelters in the country.(29)
Joint Child Labor Inspection Committee	Coordinate activities to enforce child labor laws. Committee includes MLIREC, MSS, and MGECW.(1) Refer children identified during labor inspections to MGECW social workers or to an MGECW shelter for care.(1)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Namibia took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$3,750,000 [†] (22)	\$4,950,000 [‡] (30)
Number of Labor Inspectors	97 (22)	97 (30)
Number of Child Labor Dedicated Inspectors	2 (22)	2 (30)
Inspectorate Authorized to Assess Penalties	No (22)	No (30)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (22)	Yes (30)
Training on New Laws Related to Child Labor	Yes (22)	Yes (30)
Refresher Courses Provided	Yes (22)	Yes (30)
Number of Labor Inspections	6,073 (22, 30)	3,988 (30)
Number Conducted at Worksite	6,073 (22)	3,988 (30)
Number Conducted by Desk Reviews	0(22)	0 (30)
Number of Child Labor Violations Found	0 (22)	0 (30)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (22)	N/A (30)
Number of Penalties Imposed That Were Collected	N/A (22)	N/A (30)
Routine Inspections Conducted	Yes (22)	Unknown* (30)
Routine Inspections Targeted	Yes (22)	Unknown* (30)
Unannounced Inspections Permitted	Yes (22)	Yes (30)
Unannounced Inspections Conducted	Yes (22)	Unknown* (30)
Complaint Mechanism Exists	Yes (22)	Yes (30)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (22)	Yes (30)

* The Government does not publish this information.

† Data are from January 1, 2015 to December 31, 2015.

‡ Data are from January 1, 2016 to December 31, 2016.

Research indicates that MLIREC primarily conducts inspections in the formal sector in urban areas, leaving self-employed children and children working in rural areas unprotected.(9) MLIREC lacked clarity on international child labor definitions, especially concerning hazardous work for children, indicating a need for additional training.(9) Although

inspectors have the legal authority to inspect private farms, they often encounter difficulties accessing the farms due to locked gates.(9, 14) NGOs also reported difficulties accessing such locations while accompanying inspectors on child labor investigations.(1, 26, 31) To address this challenge, MLIREC partnered with the Namibia Agricultural Union so that inspectors could access farms by giving farms advanced notice that inspections would be conducted in a certain time frame.(9)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Namibia took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown (22)	Unknown* (30)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (22)	Unknown* (30)
Refresher Courses Provided	Unknown (22)	Unknown* (30)
Number of Investigations	0 (22)	Unknown* (30)
Number of Violations Found	11 (22)	Unknown* (30)
Number of Prosecutions Initiated	1 (22)	Unknown* (30)
Number of Convictions	1 (22)	Unknown* (30)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (22)	Yes (30)

* The Government does not publish this information.

The Namibian Police operates a toll-free hotline to report crimes, including child trafficking. An NGO operates another hotline for victims of gender-based violence and child exploitation to access information about available resources and get referrals to relevant government organizations for social services.(30)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Inter-Ministerial Committee on Child Labor	Coordinate government policies and efforts to combat child labor. The committee consists of MOE, MGECW, and MSS officials, as well as the Office of the Ombudsman.(26) The committee met during the reporting year and discussed roles and responsibilities of participating agencies.(4)
Gender Based Violence Protection Units	Provide victim protection services to children in the worst forms of child labor. There are 15 units that arrange lodging, medical, and psychosocial care for victims.(22) The units consist of personnel from MLIREC, Ministry of Home Affairs and Immigration, Namibian Police, MGECW, and MOE.(10)
Child Care and Protection Forums	Organize forums to address child protection issues and services in the country, including regional councils, MGECW social workers, government agencies, NGOs, community leaders, churches, and other local-level stakeholders.(10)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
National Plan of Action on Gender-Based Violence (2012–2016)	Establishes a plan for reducing incidences of gender-based violence and improving the country's understanding and response. The plan also addresses child protection and trafficking concerns.(1, 10, 32) Under the policy, an anti-trafficking strategy was developed.(27)
Decent Work Country Program (2010–2016)	Outlined strategies to promote decent work in Namibia. Prioritized employment promotion, enhanced social protections, and strengthened social dialog and tripartism. Outcome included the elimination of forced labor and child labor.(33)
National Development Plan IV (2012/2013–2016/2017)	Includes goals for addressing child protection and trafficking concerns.(1, 34)

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(35)

In 2016, child labor elimination and prevention strategies were not integrated into the National Agenda for Children, the National Protection Referral Network, or the Education for All National Plan of Action.(36–38) Research was unable to determine whether activities were undertaken to implement the National Plan of Action on Gender-Based Violence, Decent Country Work Program, and the National Development Plan IV during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Global Action Program on Child Labor Issues (2011–2017)	USDOL-funded program implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016, a project established by The Hague Global Child Labor Conference in 2010. Aims to build government capacity and develop strategic policies to address the elimination of child labor while strengthening legal protections and social services delivery for child domestic workers.(39) During the reporting year, ILO held two workshops to train 114 participants from MLIREC on child labor and domestic work. The program also drafted a National Action Plan on Child Labor and Domestic Work but it has yet to be adopted. (40)
Combatting Human Trafficking Initiative (2016–2019)*	USDOS-funded project implemented by IOM, in collaboration with the host Government, to combat trafficking in persons.(36)
Namibian School Feeding Program [†]	Government program provides mid-morning meals to school children.(41) Research could not find information about the number of children that benefitted from the program during the reporting period.
National Youth Service [†]	Government program offers training in civic education, national voluntary service, and job skills to unemployed youth, some of whom have never attended school.(41) Research was unable to determine whether activities were taken to implement the National Youth Service.
Shelters and victim services [†]	Six operational government-established shelters for women and children that assist victims of sexual assault, gender-based violence, and the worst forms of child labor.(10) A source indicates that the shelters are not staffed and therefore are not fully operational. The Government, however, provides a subsidy to an NGO that caters to victims of the worst forms of child labor.(42)

* Program was launched during the reporting period.

[†] Program is funded by the Government of Namibia.

Although the Government of Namibia provides assistance to vulnerable children and services to some victims of child labor, research found no evidence of programs specifically addressing children working in agriculture or domestic work.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Namibia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the hazardous occupations and activities prohibited for children are comprehensive.	2014 – 2016
Enforcement	Publish information about whether the labor inspectorate conducts routine inspections, targeted inspections, and unannounced inspections related to child labor.	2016
	Authorize the inspectorate to assess penalties.	2016
	Ensure a sufficient number of inspections are conducted in the rural areas.	2016
	Publish information about the child labor related trainings that criminal investigators receive.	2015 – 2016
	Publish information about criminal law enforcement's, number of investigations, number of violations found, number of prosecutions initiated, and number of convictions related to the worst forms of child labor.	2016
Government Policies	Integrate child labor elimination and prevention strategies into existing education and youth policies.	2013 – 2016
	Adopt and implement the National Action Plan on Child Labor and Domestic Work.	2016
	Publish information about the implementation of the National Plan of Action on Gender-Based Violence, the Decent Country Work Program, and the National Development Plan IV.	2016
Social Programs	Conduct research on the prevalence of child labor to inform the development of policies and social programs.	2013 – 2016
	Publish information about the implementation of social programs such as the Namibian School Feeding Program and the National Youth Service.	2016
	Ensure shelters are fully operational to cater to victims of child labor, including its worst forms.	2016
	Institute programs to address child labor in agriculture and domestic work.	2009 – 2016

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In 2016, Nepal made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government agreed to implement its first nationally representative survey examining forced labor among adult and child workers.

The Nepal Police developed and implemented a training curriculum that included a child labor component, and the Green Flag Movement campaign was expanded to five additional wards. However, children in Nepal perform dangerous tasks in the production of bricks. Children also engage in the worst forms of child labor, including in commercial sexual exploitation. Children ages 16 and 17

are excluded from the protections of the country's hazardous work list, leaving them vulnerable to the worst forms of child labor. The Department of Labor's budget, the number of labor inspectors, and available resources and training are all insufficient for enforcing labor laws, including those related to child labor. In addition, the Government lacks a policy that addresses all relevant forms of child labor, including hazardous child labor, forced child labor, and the use of children in illicit activities.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Nepal perform dangerous tasks in the production of bricks, and also engage in the worst forms of child labor, including in commercial sexual exploitation.(1-3) Table 1 provides key indicators on children's work and education in Nepal.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	33.7 (6,755,852)
Attending School (%)	5 to 14	91.7
Combining Work and School (%)	7 to 14	39.1
Primary Completion Rate (%)		110.2

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2016.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Labor Force Survey, 2014.(5) Data on working children, school attendance, and children combining work and school are not comparable with data published in the previous version of this report because of differences between surveys used to collect the data.

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including harvesting caterpillar fungus (<i>yarchagumba</i>) (6-9)
	Herding and feeding livestock (7, 10, 11)
Industry	Producing bricks (1, 7, 9, 11-17)
	Quarrying, collecting, and breaking stones, and quarrying and collecting sand (7, 9, 18)
	Construction,† activities unknown (9, 11, 19)
	Weaving carpet† (7, 11, 20, 21)
	Producing embellished textiles (<i>zari</i>)† and embroidery (7, 8, 11, 22)
	Producing metal crafts (8, 9, 11)
Services	Domestic work (7, 11, 23-26)
	Working in transportation,† portering, and collecting recyclable waste (7, 9, 11, 19, 27, 28)
	Working in hotels,† restaurants,† and tea shops (7, 9, 19)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [†]	Commercial sexual exploitation, sometimes as a result of human trafficking (2, 7)
	Forced labor in agriculture, producing bricks, quarrying and breaking stones, weaving carpets, embellishing textiles (<i>zari</i>), and domestic work (2, 9, 16, 21, 25, 29-32)
	Use in illicit activities, including the cultivation and trafficking of drugs (9)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Children are trafficked for commercial sexual exploitation both within Nepal and outside Nepal, including to India, the Middle East, Asia, and Sub-Saharan Africa.(7, 33-35) Many children in Nepal are engaged in the production of bricks, which exposes them to hazardous working conditions, including carrying heaving loads, using dangerous machinery, and working in extreme heat.(1)

Children face barriers to accessing education, including the lack of secondary schools in some rural villages and fees associated with schooling, such as for books and uniforms.(36) Children with disabilities face additional barriers to accessing education.(37)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Nepal has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Nepal’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Section 3(1) of the Child Labor (Prohibition and Regulation) Act (38)
Minimum Age for Hazardous Work	No	16	Section 3(2) of the Child Labor (Prohibition and Regulation) Act (38)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Schedule 1 of the Child Labor (Prohibition and Regulation) Act (38)
Prohibition of Forced Labor	Yes		Section 4 of the Bonded Labor (Prohibition) Act; Section 4 of the Child Labor (Prohibition and Regulation) Act; Sections 3, 4, 15(1), and 15(2) of the Human Trafficking and Transportation Control Act (38-40)
Prohibition of Child Trafficking	No		Sections 3, 4, 15(1), and 15(2) of the Human Trafficking and Transportation Control Act (40)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 3, 4, 15(1), and 15(2) of the Human Trafficking and Transportation Control Act; Sections 16(2) and 16(3) of the Children's Act (40, 41)
Prohibition of Using Children in Illicit Activities	No		Section 16(4) of the Children's Act (41)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Military Service Regulations (42)
Non-state Compulsory	No		Article 39(6) of the Constitution (43)
Compulsory Education Age	No	13 [‡]	Article 31(2) of the Constitution (43)
Free Public Education	Yes		Section 16D of the Education Act (44)

* No conscription (45)

‡ Age calculated based on available information (46)

The minimum age for hazardous work is not consistent with international standards as it does not prohibit children ages 16 and 17 from engaging in hazardous work.(38, 47) The types of hazardous work prohibited for children do not include brickmaking, a sector in which there is evidence that work involves carrying heavy loads and exposure to hazardous substances.(1, 38)

While the Human Trafficking and Transportation Control Act increases penalties in cases of child trafficking for prostitution, the legal framework does not include increased penalties for cases involving child trafficking for forced labor.(40) The legal framework also does not explicitly prohibit the use of a child in the production of child pornography.(41) The legal framework prohibiting the use of children in illicit activities is insufficient as it does not prohibit the use of children in the production of drugs and it does not extend to children who are 17 years of age.(41)

While the Constitution prohibits the recruitment of children by non-state armed groups, there is no specific legislation penalizing this practice.(43, 48)

Children in Nepal are required to attend school only up to age 13.(43, 46) This standard makes children age 13 vulnerable to child labor as they are not required to attend school but are not legally permitted to work.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor, Ministry of Labor and Employment (MoLE)	Enforce labor laws, including those involving child labor. Investigate and hold hearings in 10 District Labor Offices.(49)
Nepal Police Women and Children Service Directorate	Investigate crimes involving women and children, including human trafficking. Conduct work through the Nepal Police Women and Children Service Centers in all 75 districts.(50) The Nepal Police handle complaints received about child labor in districts without a District Labor Office.(49)
Ministry of Land Reform and Management	Enforce laws that prohibit bonded labor in agriculture.(51)
Child Protection Officers and Investigators, Department of Women and Children	Investigate and manage cases involving violations of children's rights through 22 child protection officers and 53 child protection inspectors.(52, 53)

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Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Monitoring Action Committees, Ministry of Women, Children, and Social Welfare (MWCSW)	Investigate reports of commercial sexual exploitation at the district level, including the exploitation of children in the adult entertainment sector.(54)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Nepal took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$7,520 [†] (52)	\$6,080 [‡] (9)
Number of Labor Inspectors	7 [†] (52)	12 [‡] (55)
Inspectorate Authorized to Assess Penalties	Yes (49)	Yes (9)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown (9)	Unknown (9)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Unknown (9)	Unknown (9)
Number of Labor Inspections	1,437 [†] (52)	213 [‡] (9)
Number Conducted at Worksite	Unknown (9)	Unknown (9)
Number Conducted by Desk Reviews	Unknown (9)	Unknown (9)
Number of Child Labor Violations Found	Unknown* (9)	Unknown* (9)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (52)	Unknown (9)
Number of Penalties Imposed that Were Collected	Unknown (52)	Unknown (9)
Routine Inspections Conducted	Yes (52)	Yes (9)
Routine Inspections Targeted	Yes (52)	Yes (9)
Unannounced Inspections Permitted	Yes (52)	Yes (9)
Unannounced Inspections Conducted	Yes (9)	Yes (9)
Complaint Mechanism Exists	Yes (52)	Yes (9)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (52)	Yes (9)

* The Government does not publish this data.

[†] Data are from the Government of Nepal for the period from July 2014 to July 2015.

[‡] Data are from the Government of Nepal for the period from July 2015 to July 2016.

Department of Labor officials noted that they lacked the resources to collect and publish data on child labor law violations. They also noted that the budget was insufficient and had been decreased from the previous year. In addition, they noted that the number of inspectors is insufficient.(9) The number of labor inspectors is insufficient for the size of the country's workforce, which includes over 15.2 million workers. According to the ILO's recommendation of 1 inspector for every 40,000 workers in developing economies, Nepal should employ roughly 380 inspectors.(56-58) Inspectors periodically receive training on child labor laws and inspection, although this training does not necessarily coincide with the beginning of employment.(49) In addition, the size of fines and employer-paid compensation imposed by Labor Officers was not sufficient to deter child labor violations.(52)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Nepal took actions to combat child labor, including its worst forms (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown (9)	Unknown (9)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (52, 59)	Yes (9)
Number of Investigations	181† (52)	Unknown* (9)
Number of Violations Found	Unknown (52)	Unknown* (9)
Number of Prosecutions Initiated	Unknown (52)	Unknown* (9)
Number of Convictions	Unknown (52)	Unknown* (9)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (52)	Yes (9)

* The Government does not publish this data.

† Data are from the Government of Nepal for the period from July 2014 to July 2015.

In 2016, the Women and Children Services Directorate of the Nepal Police developed and implemented a training curriculum that included child labor and child protection components.(9) The Government does not have the capacity to maintain a centralized database of cases involving the worst forms of child labor, including child trafficking. The Government lacks the capacity to enforce laws prohibiting the worst forms of child labor.(9) The Ministry of Land Reform and Management lacks the capacity to enforce laws that prohibit bonded labor in the agricultural sector.(42)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Central Child Welfare Board, MWCSW	Monitor and report on the enforcement of laws and the implementation of policies related to child protection in coordination with District Child Welfare Boards.(53) Coordinate with MoLE and civil society to formulate and implement child protection and child labor-related policies.(49)
District Child Welfare Boards	Report on child welfare activities, monitor child care homes, mobilize resources for children at risk, receive and respond to child protection cases, and establish referral mechanisms. Consists of social workers, medical practitioners, and government officials.(53)
Labor Relations, Child Labor Prevention, and Information Section, MoLE	Coordinate policy-making on child labor inspection guidelines and monitor implementation of guidelines.(55, 60) Consists of a senior factory inspector, two labor officers, and a senior assistant in MoLE. Confers with MWCSW, Central Child Welfare Board, Department of Labor, and district labor offices.(55)
National Network Against Child Labor	Serve as a referral mechanism to assist children who are found in child labor in accessing services.(61) Consists of District Labor Officers, District Women and Children Officers, officers from the Nepal Police Women and Children Service Centers, Chief District Officers, NGOs, and thousands of youth clubs.(50)
National Coordination Committee on Human Trafficking	Coordinate the implementation of anti-human trafficking laws, policies, and programs. Led by MWCSW and consists of Government officials and representatives of NGOs.(50) Enhance coordination between central, district, and local government officials working to counter human trafficking.(54)
National Human Rights Commission	Monitor and receive complaints on child rights violations.(53) Report on the status of human trafficking victims and coordinate with civil society organizations through the Office of the Special Rapporteur on Trafficking.(50, 53)

Since the expiration of the National Master Plan on Child Labor (2004–2014), Nepal does not have a mechanism, such as a national steering committee, to coordinate efforts to eliminate child labor across government ministries.(52)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Nepal has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
School Sector Reform Plan (2009–2016)	Targets children who are out of school and at risk of entering the worst forms of child labor. Aims to expand access to education and provide alternative schooling and non-formal education to vulnerable populations.(50, 62, 63) Overseen by the Ministry of Education.(50, 62)
National Plan of Action Against Trafficking in Persons (2011–2016)	Promotes and protects the rights of human trafficking victims and survivors, and outlines policies for providing justice and punishing perpetrators.(64)

Although the Government of Nepal has adopted the National Plan of Action Against Trafficking in Persons, research found no evidence of a policy designed to address other worst forms of child labor.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government of Nepal funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Green Flag Movement (2014–2017)†	ILO-funded, municipal government campaign to eliminate child labor. Includes child labor monitoring and awareness-raising activities.(65) In 2016, the campaign was expanded to five additional wards in Lalitpur Sub-metropolitan City, and over 100 children working in domestic service have been rescued under the program.(66)
Child Helpline – 1098†	MWCSW- and Child Workers in Nepal-funded helpline operated by the Nepal Telecommunications Authority.(52) Responds to calls about missing children, child abuse, child labor exploitation, child trafficking, and child sexual abuse.(67) Currently operates in 13 districts and municipalities.(52, 68) Also operates in Bangladesh, Bhutan, India, Maldives, Pakistan, and Sri Lanka to ensure access for children who have been trafficked in this region.(49)
Country-Level Engagement and Assistance to Reduce Child Labor II (CLEAR II) (2014–2018)	USDOL-funded capacity-building project implemented by Winrock International and partners Verité and Lawyers Without Borders in at least eight countries to build the local and national capacity of the Government to address child labor.(69) During the reporting period, the program convened a consultation workshop for government and non-government stakeholders on the draft National Master Plan on Child Labor Elimination.(69) For additional information, please see our Web site .
From Protocol to Practice: A Bridge to Global Action on Forced Labor (The Bridge Project)	USDOL-funded global project implemented by the ILO to support global and national efforts aimed at combating forced labor of adults and children under the 2014 ILO Protocol and supporting Recommendation to ILO C. 29 on Forced Labor. Includes Mauritania, Nepal, and Peru as priority countries.(70) For additional information, please see our Web site .
Towards Achieving the Elimination of the Worst Forms of Child Labor as Priority (ACHIEVE) (2013–2016)	\$582,000 Government of Denmark-funded, 3-year program implemented by ILO-IPEC that aims to strengthen national-level capacity and support the policy environment. Includes the development and testing of a training program and the preparation of a national child labor policy, a revised hazardous work list, and recommendations for upgrading national legislation related to child labor.(71)
Decent Work Country Program, Nepal (2013–2017)	ILO, MoLE, Federation of Nepalese Chambers of Commerce and Industry, and Nepal Trade Union Congress-implemented program.(72) Provide technical and financial assistance to implement the provisions of ratified conventions on child labor, strengthen MoLE's child labor monitoring and reporting systems for prevention and early detection, support the mapping of community service providers, and assist the Government in revising a hazardous child labor list.(72)
Combating Trafficking in Persons (CTIP) Project (2010–2017)	\$9.1 million USAID-funded, 6-year project to reduce human trafficking and protect the rights of victims. Strengthen protection services for survivors of human trafficking, build the capacity of the judiciary and law enforcement agencies to effectively enforce legal measures and increase prosecutions, and prevent human trafficking by building awareness among groups that are vulnerable to human trafficking for purposes of labor and sexual exploitation.(9, 52, 73)
Support for Schools†	MoLE program that supports five schools in the Kathmandu Valley for children ages 5–16 who are at risk of working in the worst forms of child labor. Provides scholarships to cover associated schooling costs for children outside the Kathmandu Valley to attend a local public school, and works with local NGOs to verify that children are attending class.(9)

† Program is funded by the Government of Nepal.

In 2016, the Government agreed to implement its first nationally representative survey examining forced labor among adult and child workers. The survey will be implemented with the Nepal Labor Force Survey during 2017–2018 and cover 18,000 households. It will be the first endeavor undertaken by any country to systematically collect national data on populations experiencing forced labor.(74)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Nepal (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including Its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2013 – 2016
	Ensure that laws are in line with ILO C. 182 by raising the minimum age for entry into hazardous work to 18.	2009 – 2016
	Ensure that the types of hazardous work prohibited for children are comprehensive.	2015 – 2016
	Ensure that the legal framework criminally prohibits the trafficking of children for the purposes of forced labor.	2015 – 2016
	Ensure that the law explicitly criminalizes the use of children in the production of child pornography.	2015 – 2016
	Ensure that the law criminally prohibits the use of children through age 17 in the production of drugs and other illicit activities.	2015 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Ensure that the age up to which education is compulsory is the same as the minimum age for work.	2009 – 2016
Enforcement	Provide sufficient resources for the collection and publication of data on labor law enforcement actions, including the number of child labor law violations. Collect and publish data on criminal law enforcement actions, including the number of violations, prosecutions, and convictions involving child trafficking and other worst forms of child labor.	2015 – 2016
	Ensure that the Department of Labor’s budget is sufficient to effectively enforce child labor laws.	2016
	Increase the number of labor inspectors trained and responsible for providing enforcement of child labor laws to meet international standards.	2010 – 2016
	Ensure that penalties are sufficient to deter child labor law violations.	2015 – 2016
	Increase the capacity to gather, store, and report on data related to human trafficking, including the ability to disaggregate data to identify the number of child trafficking victims.	2009 – 2015
	Provide additional resources to law enforcement agencies so that they are able to enforce laws prohibiting crimes against children, including the worst forms of child labor.	2011 – 2016
	Increase the capacity of the Ministry of Land Reform and Management to effectively enforce laws that prohibit bonded labor in agriculture.	2014 – 2016
Coordination	Ensure that there is a mechanism to coordinate efforts to eliminate child labor across government ministries.	2016
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as commercial sexual exploitation of children, forced labor of children, and use of children in illicit activities.	2016
Social Programs	Eliminate barriers to education, including lack of schools and fees associated with schooling. Eliminate barriers to education for children with disabilities.	2013 – 2016

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In 2016, Nicaragua made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government passed the Good Government Plan, which aims to increase human trafficking investigations and protect children from commercial sexual exploitation, as well as increase access to education, particularly for children of indigenous and African descent. The Ministry of Education also continued to expand the National School Supply Program, which provided more than 700,000 packages of school supplies and 3.9 million textbooks to children in need. However, children in Nicaragua engage in the worst forms of child labor, including in street work and commercial sexual exploitation, sometimes as a result of human trafficking. National policies to eliminate child labor and protect children have not been fully implemented, and the Government lacks a specific and consistent mechanism to coordinate efforts to address child labor. In addition, the Government does not publish key labor and criminal law enforcement data on child labor, including its worst forms.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Nicaragua engage in the worst forms of child labor, including in street work and commercial sexual exploitation, sometimes as a result of human trafficking.(1-4) Table 1 provides key indicators on children’s work and education in Nicaragua.

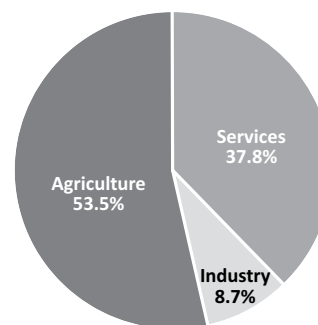
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	47.7 (342,076)
Attending School (%)	10 to 14	88.3
Combining Work and School (%)	10 to 14	40.3
Primary Completion Rate (%)		85.4

Source for primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2016.(5)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Encuesta Continua de Hogares (ECH) Survey, 2012.(6)

Figure 1. Working Children by Sector, Ages 10-14



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Harvesting coffee, bananas, tobacco,† African palm, sugarcane, and oranges (1, 7-12)
	Raising cattle† and producing dairy products (10)
	Collecting shellfish† (7, 13)
Industry	Construction,† including transporting materials (13, 14)
	Quarrying† of pumice and limestone and mining† of gold (1, 7, 13, 15, 16)
	Production of gravel (crushed stones)† (10, 17, 18)

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Services	Domestic work (13, 19, 20)
	Work in transportation† and as couriers† (7, 13, 16, 19)
	Street work, including vending,† washing car windshields, and performing at stoplights† (1, 2, 4, 16, 19, 21-23)
	Garbage scavenging† (16, 19, 21, 24, 25)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking, and use in the production of pornography (3, 26, 27)
	Domestic work as a result of human trafficking (28, 29)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




In Nicaragua, children are subjected to commercial sexual exploitation, particularly in Granada, Managua, the Caribbean Coast, and San Juan del Sur.(3, 26, 28, 30) Children in Nicaragua who lack identification documents, sometimes because of a lack of birth registration, may not have access to social services and are at an increased risk of human trafficking and commercial sexual exploitation.(13) An estimated 20 percent of children born in Nicaragua lack birth certificates.(31) Although the Government’s birth registration campaign is advancing, it does not reach all children, especially in remote areas.(32-35) In an effort to promote birth registrations, Nicaragua’s Family Code, which went into effect in 2015, provides for free birth registrations up to age 7.(36, 37)

Education is free and compulsory in Nicaragua. However, costs associated with school supplies and transportation make it difficult for some children, particularly those from poor backgrounds and rural areas, to attend school.(22, 38-40) Some sources indicate that secondary schools have not received adequate assistance and that secondary school attendance remains low, increasing the risk that older children engage in exploitative work.(1, 30, 40)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Nicaragua has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Nicaragua’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Article 131 of the Labor Code; Article 73 of the Childhood and Adolescence Code; Article 84 of the Constitution (41-44)
Minimum Age for Hazardous Work	Yes	18	Articles 130 and 133 of the Labor Code; Article 1 of Ministerial Agreement No. JCHG-08-06-10; Articles 2 and 74 of the Childhood and Adolescence Code (41-43, 45)

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Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 6 of Ministerial Agreement No. JCHG-08-06-10; Article 133 of the Labor Code (41, 45)
Prohibition of Forced Labor	Yes		Article 40 of the Constitution; Articles 61–63 of the Law Against Trafficking in Persons; Articles 182, 183, and 315 of the Penal Code (44, 46, 47)
Prohibition of Child Trafficking	Yes		Articles 61–63 of the Law Against Trafficking in Persons; Articles 182, 183, and 315 of the Penal Code (46, 47)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 61 of the Law Against Trafficking in Persons; Articles 175–183 of the Penal Code; Articles 5 and 26 of the Childhood and Adolescence Code (43, 46, 47)
Prohibition of Using Children in Illicit Activities	Yes		Article 61 of the Law Against Trafficking in Persons; Articles 358, 359, and 362 of the Penal Code; Article 71 of Law 285 (Reform to the Narcotics Law); Article 79 of the Childhood and Adolescence Code (43, 46-48)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		Article 96 of the Constitution (44)
State Voluntary	Yes	18	Annex 1 of the Code on the Organization, Jurisdiction, and Social Welfare of the Military (49)
Non-state Compulsory	Yes		Article 509 of the Penal Code; Article 95 of the Constitution (44, 46)
Compulsory Education Age	No	12	Article 121 of the Constitution; Articles 19 and 23 of the Education Law; Article 43 of the Childhood and Adolescence Code (43, 44, 50)
Free Public Education	Yes		Article 121 of the Constitution; Articles 8, 19, and 23 of the Education Law; Article 43 of the Childhood and Adolescence Code (43, 44, 50)

* No conscription (27, 44, 51)

Nicaraguan law is not clear regarding the age up to which education is compulsory. Article 121 of the Constitution states that primary school education is compulsory, but does not specify an age.(44) Under Articles 19 and 23 of the Education Law, education is compulsory only through the sixth grade, which it specifies is up to age 12 and the end of primary school.(50) Article 43 of the Childhood and Adolescence Code states that both primary and secondary school education are compulsory, suggesting up to age 17, but does not specifically state an age.(43) The lack of clarity regarding the age up to which education is compulsory and the potential gap between the compulsory education age and the minimum age for work may leave children vulnerable to child labor, including its worst forms.(1, 52)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MITRAB)	Enforce labor laws and set child labor policy priorities.(19, 53) Conduct labor inspections through its General Labor Inspectorate, including child labor inspections through its Child Labor Inspections Unit. Conduct training on child labor issues and inspections.(7, 54, 55) Maintain a mailbox in each of Nicaragua’s 17 departments to receive complaints of child labor violations.(56)
Nicaraguan National Police (NNP)	Investigate cases of child labor and human trafficking through the Police Intelligence Unit and the Special Crimes Unit, which detect and investigate crimes, respectively.(7, 19, 54) Maintain a hotline for violations of children’s rights.(56)
Ministry of Governance	Coordinate participation between MITRAB and NNP in labor inspections in which employers resist inspection.(56)
Prosecutor General’s Office	Prosecute cases of child trafficking, commercial sexual exploitation, and the use of children in illicit activities. Contains 2 national-level and 35 department-level prosecutors that prosecute these and other crimes.(7, 19, 54)

Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Human Rights Attorney for Children	Assist in the enforcement of laws related to child labor and hazardous child labor.(7, 19)
Ministry of the Family, Adolescence, and Childhood (MIFAN)	Maintain a hotline for receiving reports on human trafficking and commercial sexual exploitation.(56) Assist in providing officials with training on child labor violations.(31)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Nicaragua took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$1,000,000 (57)	Unknown*
Number of Labor Inspectors	98 (57)	133 (58)
Inspectorate Authorized to Assess Penalties	Yes (41)	Yes (41, 59)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Unknown*
Training on New Laws Related to Child Labor	Unknown	N/A
Refresher Courses Provided	Unknown	Yes (59)
Number of Labor Inspections	Unknown	14,605 (59)
Number Conducted at Worksite	2,593 (57, 60)	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	539 (57)	475 (59)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (57)	Unknown
Number of Penalties Imposed That Were Collected	0 (57)	Unknown
Routine Inspections Conducted	Yes (61)	Yes (59)
Routine Inspections Targeted	Yes (61)	Yes (59)
Unannounced Inspections Permitted	Yes (56, 57)	Yes (62)
Unannounced Inspections Conducted	Yes (56, 57)	Unknown
Complaint Mechanism Exists	Yes (56, 57)	Yes (59)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Yes (59)

* The Government does not publish this information.

NGOs reported that the Ministry of Labor (MITRAB) lacks sufficient resources to adequately enforce child labor laws.(57) The number of labor inspectors is insufficient for the size of Nicaragua's workforce, which includes over 3 million workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in industrializing economies, Nicaragua should employ roughly 201 inspectors.(63-65) Of the 133 labor inspectors the Government employed in 2016, 97 focused on general labor law compliance and 36 focused on occupational safety and health issues.(58)

In 2016, MITRAB conducted 14,605 labor inspections, of which 1,696 were child labor-specific inspections.(59) Government officials and NGOs have reported that child labor inspections throughout the country, and those in agricultural areas in particular, are limited due to resource and personnel constraints.(19, 56) Complete information on labor inspections, including on whether inspections were conducted at worksites and on their geographic distribution, was not publicly available. Research could not determine the number of children referred between labor authorities and social services in 2016.

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Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Nicaragua took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Yes (60)	N/A
Refresher Courses Provided	Yes (60)	Yes (66)
Number of Investigations	10 (60)	Unknown
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	23 (61)	Unknown
Number of Convictions	6 (61)	2 (59)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (60)	Yes (27, 59)

Research did not find the number of criminal investigators employed by the Nicaraguan National Police or Prosecutor General's Office during the reporting period. NGOs reported that criminal law enforcement efforts related to the worst forms of child labor do not adequately address the scope of the problem.⁽⁶⁶⁾ NGOs also indicate that criminal law enforcement agencies lack sufficient financial resources to effectively carry out criminal investigations.^(61, 66)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Social Welfare System (SNBS)	Coordinate efforts on child labor and ensure that government institutions protect the rights of and provide social services to children as part of its mandate to assist the Nicaraguan population. Comprises various government ministries, including MITRAB, MIFAN, the Ministry of Education (MINED), the Ministry of Health (MINSAs), and the Ministry of Governance. ⁽⁵⁶⁾
National Coalition Against Trafficking in Persons (CNCTP)	Coordinate efforts to address human trafficking for labor and commercial sexual exploitation. Led by the Ministry of Governance and comprises law enforcement agencies, the Supreme Court of Justice, and NGOs. ^(47, 60, 67)
Ministry of the Family, Adolescence, and Childhood (MIFAN)	Maintain a guide for the provision of assistance to victims of commercial sexual exploitation and coordinate between agencies responsible for their care. ⁽³⁰⁾ Part of the SNBS. ⁽⁵⁶⁾

The National Social Welfare System (SNBS) is the mechanism that coordinates efforts to address child labor.⁽²⁷⁾ However, NGOs report that the SNBS does not comprise a specific and consistent coordinating mechanism due to limited coordination among constituent ministries and a lack of resources dedicated to combating child labor.⁽⁵⁶⁾ Coordination between the SNBS and NGOs that addresses child labor is also limited.⁽²⁷⁾ Research did not find that the SNBS published information in 2016 on its child labor coordination efforts or how it monitored the implementation of national child labor policies.⁽⁶²⁾

NGOs working on human trafficking issues reported that the National Coalition Against Trafficking in Persons (CNCTP) and its regional working groups were largely inactive. Reports also indicate that the CNCTP did not appoint its Executive Secretariat, which is mandated by the Law Against Trafficking in Persons.⁽⁶⁶⁾ While the Ministry of the Family, Adolescence, and Childhood maintains a guide for providing assistance to child victims of commercial sexual exploitation, reports indicate that the Government had no formal procedures for the identification of human trafficking victims among high-risk populations, including children who are trafficked for commercial sexual exploitation.^(3, 30, 67, 68)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[†]

Policy	Description
Roadmap for the Elimination of the Worst Forms of Child Labor	Sets the goal of eliminating the worst forms of child labor by 2016, and all forms of child labor by 2020.(36, 56, 69)
Strategic Plan for the Prevention and Elimination of Child Labor and the Protection of Young Workers (2007–2016)	Aims to eliminate child labor and ensure protections for adolescent workers. Seeks to reintegrate child laborers into the school system and increase school enrollment.(30)
Good Government Plan (2016) [†]	Sets development goals for government ministries, including MITRAB, MINED, and MINSA. Prioritizes human trafficking investigations; aims to protect children from commercial sexual exploitation; and commits to training teachers, creating 1,000 primary teaching positions, and increasing access to education, including for indigenous and Afro-descendant children.(70)
Coffee Harvest Plan	Aims to assist children whose parents work in the coffee harvest and improve their educational opportunities. Focuses on eliminating hazardous child labor in the coffee sector in the Jinotega Department. Developed by the Government in collaboration with the private sector and NGOs.(7, 19, 71, 72)

[†] Policy was approved during the reporting period.

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(53, 71-77)

The Government's Roadmap for the Elimination of the Worst Forms of Child Labor sets the goal of eliminating child labor in Nicaragua by 2020. However, there is no comprehensive action plan for its full implementation.(1) Research was unable to determine whether activities were undertaken during the reporting period to implement the Strategic Plan for the Prevention and Elimination of Child Labor and the Protection of Young Workers or the Coffee Harvest Plan. The CNCTP's Strategic Plan to Combat Trafficking in Persons expired in 2015, and the extent of its implementation is unknown.(60, 68) In 2016, the CNCTP began drafting a new national action plan to combat human trafficking.(66)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
Program Love (<i>Programa Amor</i>) [†]	MIFAN program that targets vulnerable or impoverished children, including children involved in child labor, such as street work. Provides educational assistance for children and vocational training for parents.(19, 53, 67, 78, 79) Overseen by Nicaragua's Vice President in coordination with MINED, MINSA, MITRAB, and the Ministry of Governance.(78) Includes children from birth to age 6 through Program Love for the Smallest Ones.(19, 70, 80) In 2016, aimed to assist and promote school attendance of 33,695 vulnerable children.(70)
Educational Bridges (<i>Puentes Educativos</i>) [†]	MITRAB and MINED public-private partnership that provides education to children of coffee workers to prevent child labor during coffee harvests. In 2016, program continued to build commitments to eliminate child labor in coffee.(81-85)
Integral School Meal Program (<i>Merienda Escolar</i>) [†]	MIFAN and WFP initiative that provides children and adolescents with meals at school to address poverty and improve attendance.(86-88) In 2016, program assisted approximately 1.2 million children.(27, 89, 90)
National School Supply Program (<i>Paquete Escolar</i>)	MINED program that distributes packages of school supplies to preschool, primary, and secondary school children in the poorest districts to increase attendance and completion rates.(91, 92) In 2016, MINED provided more than 700,000 packages of school and teaching supplies, as well as 3.9 million textbooks.(90)
Birth Registration Campaign	Government initiative, in coordination with Save the Children and UNICEF, to advance birth registration campaigns.(31, 35, 36)

[†] Program is funded by the Government of Nicaragua.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(59, 93-95).

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The scope of current social programs is not sufficient to assist children who are trafficked or engaged in the worst forms of child labor, including commercial sexual exploitation.(19) While the Government provides medical, educational, and legal assistance to trafficking victims, international organizations and NGOs provide their shelter, food, clothing, and psychological assistance.(7, 68, 96) NGOs indicate that the regions most affected by human trafficking lack adequate care facilities, and that victims of the worst forms of child labor in these areas are referred to NGO shelters in Managua.(68) NGOs also indicate that Program Love lacks overall effectiveness and transparency.(19) Research could not find comprehensive information on the kind of assistance provided to beneficiaries, including those who were engaged in child labor.(57)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Nicaragua (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law is consistent and provides a compulsory education age that is not less than the minimum age for work.	2014 – 2016
Enforcement	Dedicate more human and financial resources, such as by hiring and retaining a sufficient number of labor inspectors, to the enforcement of child labor laws, in particular in agriculture.	2009 – 2016
	Publish information on the training provided to new labor inspectors.	2015 – 2016
	Publish information on the number of labor inspections conducted at worksites and by desk review, as well as whether unannounced inspections were conducted.	2014 – 2016
	Ensure that penalties are imposed and fines are collected for child labor violations, and make this information publicly available.	2015 – 2016
	Publish information on the number of children referred between labor authorities and social services, respectively.	2015 – 2016
	Publish information on the number and training of criminal investigators employed to investigate the worst forms of child labor and ensure that they have adequate resources to conduct their investigations.	2014 – 2016
	Publish information on the number of criminal investigations, violations, and prosecutions related to the worst forms of child labor, and ensure that criminal law enforcement efforts are adequate to address the scope of the problem.	2014 – 2016
Coordination	Clarify the roles of SNBS ministries in addressing child labor; increase their collaboration and resources to ensure that the Government has a specific and consistent mechanism to coordinate efforts to address child labor, including with NGOs; and publicly report on their efforts.	2014 – 2016
	Ensure that the National Coalition Against Trafficking in Persons meets regularly to coordinate government activities on human trafficking issues, and ensure that it establishes its Executive Secretariat as mandated by the Law Against Trafficking in Persons.	2015 – 2016
	Enhance coordination and information sharing among actors involved in child labor issues and in efforts to identify and refer victims of child trafficking.	2009 – 2016
Government Policies	Finalize and implement a concrete action plan to achieve the objective of eliminating child labor by 2020.	2009 – 2016
	Publish information on efforts undertaken to implement the Strategic Plan for the Prevention and Elimination of Child Labor and the Protection of Young Workers and the Coffee Harvest Plan.	2016
	Make publicly available national plans that address human trafficking and publicly report on their implementation.	2014 – 2016
Social Programs	Develop strategies and devote resources to improve attendance in secondary school education.	2009 – 2016
	Expand programs to address the worst forms of child labor to more sectors in which exploitative child labor exists, such as commercial sexual exploitation.	2009 – 2016
	Dedicate greater resources to expand services that assist child trafficking victims.	2010 – 2016
	Assess the effectiveness of Program Love in reducing the worst forms of child labor and publish its results to inform future efforts.	2010 – 2016
	Expand birth registration programs, in particular in remote areas, to ensure that children have access to basic services.	2009 – 2016

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Niger

MODERATE ADVANCEMENT

In 2016, Niger made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government trained labor and criminal law enforcement agencies on laws and regulations related to child labor and conducted workshops to address child trafficking and forced begging of children.

In addition, the Government continued to participate in a number of programs targeting the worst forms of child labor, including a new program to combat child labor in agriculture.

However, children in Niger perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in caste-based servitude and mining. Gaps in laws related to hazardous work and limited resources for the systematic enforcement of child labor laws have left children unprotected from the worst forms of child labor. In addition,

social programs to combat child labor in Niger are insufficient to adequately address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Niger perform dangerous tasks in agriculture.(1-3) Children also engage in the worst forms of child labor, including in caste-based servitude and mining. (4-9) Table 1 provides key indicators on children's work and education in Niger.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	42.9 (2,516,191)
Attending School (%)	7 to 14	48.0
Combining Work and School (%)	7 to 14	22.1
Primary Completion Rate (%)		69.0

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(10)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Demographic and Health Survey (DHS), 2012.(11)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of rice, fruits, nuts, and vegetables (1-3, 9)
	Herding and caring for livestock, including cattle (2, 3, 9, 12, 13)
	Fishing (2, 14)
Industry	Quarrying [†] and mining [†] for trona, salt, gypsum, natron, and gold (3-5, 8, 13, 15-18)
	Mechanical repair, [†] welding, [†] and metal work [†] (3, 6)
	Working in construction, [†] tanneries, [†] and slaughterhouses [†] (6, 18, 19)
Services	Street work, including as market vendors and beggars [†] (5, 14, 19)
	Domestic work (5, 6, 9, 13)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (6, 8, 9)
	Forced recruitment by non-state armed groups for use in armed conflict (6, 8, 20)
	Caste-based servitude, including as cattle herders, agricultural workers, and domestic workers (7-9, 20)
	Forced begging by Koranic teachers (5, 6, 8, 9)
	Forced labor in domestic work and mining, each sometimes as a result of human trafficking (8, 13, 20, 21)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Traditional forms of caste-based servitude, such as the use of women and girls as *wahaya*, still exist in parts of Niger, especially among the Arab, Djerma, and Tuareg ethnic minorities, in distant western and northern regions, and along the border with Nigeria. Under the *wahaya* practice, men buy girls born into slavery, typically between the ages of 9 and 11 years old, as “fifth wives,” who are forced to work long hours as cattle herders, agricultural workers, or domestic workers and are often sexually exploited.(6-9, 13, 22-24) The children of *wahaya* wives are considered slaves as well and are passed from one owner to another as gifts or as part of dowries.(3, 6, 7, 18)

In Niger, it is also a traditional practice to send boys (*talibés*) to Koranic teachers (*marabouts*) to receive religious education. However, some of these boys are forced by their teachers to beg on the streets and surrender the money they have earned, or to perform manual labor.(5, 8, 9, 18)




During the year, Boko Haram attacked numerous villages in the Diffa region along Niger’s borders with Nigeria, which caused an influx of refugees and internally displaced persons and strained the Government’s resources for addressing child labor. Evidence suggests that Boko Haram forcibly recruited Nigerien children for use in armed conflict in the Diffa region. (3, 6, 20, 25-31) In Niger, refugees and internally displaced children are particularly vulnerable to engaging in the worst forms of child labor. (3, 9, 13, 31)

Although the Constitution of Niger provides for free and compulsory education, in practice, this provision is not enforced effectively, as many children, especially girls, do not attend school.(3, 32) The lack of school infrastructure, school materials, and limited availability of teachers, especially in rural areas, impede access to education, which may increase the vulnerability of children to the worst forms of child labor.(3, 9, 32-35)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Niger has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Niger’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	14	Article 106 of the Labor Code (36)
Minimum Age for Hazardous Work	No	16	Article 138 of Decree No. 67-126/MFP/T (37)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 138-158 of Decree No. 67-126/MFP/T; Article 181 of the Penal Code (37, 38)
Prohibition of Forced Labor	Yes		Article 14 of the Constitution; Article 4 of the Labor Code; Article 2 of the Law on Combating Trafficking in Persons; Article 270 of the Penal Code (32, 36, 38, 39)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Child Trafficking	Yes		Article 107 of the Labor Code; Article 10 of the Law on Combating Trafficking in Persons (36, 39)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 107 of the Labor Code; Articles 291-292 of the Penal Code; Article 10 of the Law on Combating Trafficking in Persons (36, 38, 39)
Prohibition of Using Children in Illicit Activities	Yes		Article 107 of the Labor Code; Article 10 of the Law on Combating Trafficking in Persons; Article 181 of the Penal Code (36, 38, 39)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 107 of the Labor Code (36)
Non-State Compulsory	Yes	18	Article 107 of the Labor Code (34)
Compulsory Education Age	No		
Free Public Education	Yes		Article 23 of the Constitution (32)

* No conscription (40)

Niger fails to ensure that children receive adequate training or fails to protect the health, safety, and morals of the child, in accordance with international standards where the minimum age for hazardous work is between 16-18.(41, 42) The law prohibits hazardous occupations and activities for children in mining, quarrying, manufacturing, construction, tanneries, and slaughterhouses.(37, 38) However, these prohibitions do not cover agriculture, an area in which there is evidence of work in unhealthy environments that expose children to hazardous substances and dangerous equipment.(1, 19, 37) In addition, children performing unpaid or non-contractual work do not have the same protections under child labor laws and regulations as do children performing contractual work.(3, 34)

Although Article 2 of the Law on the Orientation of the Educational System in Niger guarantees education for all children from age 4 to 18, there is no law which establishes a compulsory education age. (43)

The Penal Code prohibits employing and provoking children to beg; however, the penalties outlined in Article 181 are lenient and may not prevent violations.(38) Article 178 of the Penal Code also provides penalties for vagrancy, which is defined by Article 177 as a person without a home, an occupation, or means of subsistence. This Article may compel children who live on the streets to engage in the worst forms of child labor.(38, 44)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment, Labor and Social Security (MELSS)	Enforce laws related to child labor by receiving complaints, investigating violations, and referring cases to courts.(6, 9, 44, 45) MELSS' Child Labor Division conducts studies on the scope and nature of child labor, raise awareness of child labor, and coordinate government efforts to eliminate child labor.(6, 14)
National Human Rights Commission (CNDH)	Receive child labor complaints, investigate violations, and report violations to courts.(6, 9)
Ministry for the Promotion of Women and Child Protection	Work with law enforcement officials to provide vulnerable children with services, including education and counseling, in 34 centers across the country.(9, 14, 42)
Ministry of Justice's District and Magistrate Courts	Address children's issues, including child labor, through 10 district courts and 36 magistrate courts.(3, 6)
Regional and Vigilance Committees	Prevent child trafficking by alerting law enforcement of activities linked to human trafficking, directing victims of human trafficking to law enforcement, and working closely with the Minister of Interior to raise awareness of the worst forms of child labor. Vigilance committees, which work in 30 localities, report suspected cases of illegal transport of minors to the police.(14, 46)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Niger took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	60 (47)	73 (48)
Inspectorate Authorized to Assess Penalties	No (6)	No (6)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (47)	Yes (6)
Training on New Laws Related to Child Labor	Yes (47)	Yes (6)
Refresher Courses Provided	Yes (47)	Yes (6)
Number of Labor Inspections	8,643(6)	Unknown (6)
Number Conducted at Worksite	151 (6)	Unknown (6)
Number Conducted by Desk Reviews	8,492 (6)	Unknown (6)
Number of Child Labor Violations Found	0 (6)	Unknown (6)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (6)	Unknown (6)
Number of Penalties Imposed that Were Collected	0 (6)	Unknown (6)
Routine Inspections Conducted	Yes (47)	Yes (6)
Routine Inspections Targeted	Yes (47)	Yes (6)
Unannounced Inspections Permitted	Yes (47)	Yes (6)
Unannounced Inspections Conducted	Yes (47)	Yes (6)
Complaint Mechanism Exists	Yes (47)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (47)	Yes (6)

In 2016, the Ministry of Employment, Labor and Social Security (MELSS) increased the number of labor inspectors to 73, who are disseminated throughout Niger to enforce labor laws, including those related to child labor.(6, 48) Despite increasing the number of inspectors by 13 in 2016, the number of labor inspectors remains insufficient for the size of Niger's workforce, which includes over 6.5 million workers. According to the ILO's recommendation of one inspector for every 40,000 workers in less developed countries, Niger should employ roughly 163 inspectors in order to adequately enforce labor laws throughout the country.(49-51) Reports indicate a lack of equipment, transportation, and funding to conduct child labor inspections and legal proceedings, especially in remote locations and in informal sectors.(3, 6, 33)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Niger took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes(47)	Yes(6)
Training on New Laws Related to the Worst Forms of Child Labor	Yes(47)	Yes(6)
Refresher Courses Provided	Yes(47)	Yes(6)
Number of Investigations	Unknown(47)	Unknown(6)
Number of Violations Found	Unknown(47)	Unknown(6)
Number of Prosecutions Initiated	0(47)	0(6)
Number of Convictions	0(47)	0(6)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes(47)	Yes(6)

Niger

MODERATE ADVANCEMENT

The Government of Niger does not differentiate between labor inspectors and criminal investigators for cases involving child labor. The 73 labor inspectors refer complaints to criminal law enforcement.(6, 47) Investigators received basic and continued training on matters related to the laws and the enforcement of laws relating to the worst forms of child labor during the reporting period.(6, 8) However, evidence does not show meaningful efforts made by criminal law enforcement authorities to address the use of children for forced mining, forced begging, as well as traditional forms of caste-based servitude and hereditary slavery.(5, 6, 8, 47) An informal referral mechanism between NGOs, the police, and government social services is in place, but the resources and facilities for the social services agencies are inadequate.(6, 8) While the exact number of children removed from the worst forms of child labor is unavailable, removals are only conducted in the most extreme cases of exploitation, according to MELSS.(47)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee on Child Labor	Review proposals for action plans for the ILO-IPEC country program and ensure that they are consistent with national child labor policy and priorities. Chaired by MELSS.(41, 45)
National Commission to Coordinate Efforts to Combat Trafficking in Persons (CNCLTP)	Coordinate efforts to combat human trafficking, and to develop and implement policies and programs related to human trafficking.(14, 39, 44) Includes representatives from the CNDH and MELSS, as well as civil society organizations.(41, 52) During 2016, organized a workshop to raise awareness on trafficking in persons and illicit migrant smuggling.(53)
National Agency to Fight Against Trafficking in Persons (ANLTP)	Implement policies and programs developed by the CNCLTP; conduct awareness campaigns about human trafficking in conjunction with the CNCLTP; provide training and education to reduce the risk of human trafficking; and maintain a hotline to receive complaints of human trafficking.(14, 41, 44, 52) In 2016, trained district and magistrate courts on trafficking in persons and illicit migrant smuggling, and conducted awareness campaigns about forced begging of children. (5, 20, 54)
National Committee to Combat Child Labor in Agriculture	Coordinate policies and programs to combat child labor in agriculture.(55) Chaired by the Ministry of Agriculture and includes representatives from MELSS and the Ministry for the Promotion of Women and Child Protection, as well as nongovernmental stakeholders.(56) In 2016, implemented raising awareness campaigns to combat hazardous work in agriculture.(57)

Reports indicate that the effectiveness of the National Agency to Fight Against Trafficking in Persons (ANLTP) and National Commission to Coordinate Efforts to Combat Trafficking in Persons (CNCLTP) was hampered by budget constraints.(3, 20) The number of calls received by the ANLTP's hotline that involve child trafficking is unknown. In addition, evidence did not find whether the National Steering Committee on Child Labor was active and received any funding during the reporting period.(6)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[†]

Policy	Description
National Action Plan to Combat Trafficking in Persons (2014–2018)	Includes goals of enhancing the legal framework to prevent human trafficking, effectively implementing the laws, providing effective protection and care for victims, including children. Led by the ANLTP. (9, 46, 58) In 2016, implemented awareness-raising missions and advocacy meetings on human trafficking.(20, 46)
National Action Plan to Combat the Sexual Exploitation of Children	Seeks to combat the sexual exploitation of children.(41, 46)
National Social Protection Strategy	Aims to improve the quality of, and access to, basic education and health services; includes strategy to combat child labor. Overseen by the Ministry for the Promotion of Women and Child Protection.(59) In 2016, implemented awareness-raising activities in rural communities on tackling child marriage.(60)

Table 9. Key Policies Related to Child Labor[‡] (cont)

Policy	Description
UNDAF (2014–2018)	Promotes improved access to education for vulnerable children and aims to build the capacity of the Government to address child labor. Falls under the direction of the Ministry of Planning, Territorial Administration, and Community Development, and supported by international donors. (61, 62)
Education and Training Sectorial Program (PSEF) (2014–2024)	Sets out a comprehensive map to improve the quality of, and access to, basic and higher education. Led by the Ministry of Education.(12, 34) In 2016, developed programs to improve quality of teaching for secondary level education.(63)

[‡] The Government has other policies which may have addressed child labor issues or had an impact on child labor.(64-66)

In 2016, the Government of Niger did not officially adopt the draft National Action Plan to Combat Child Labor, which aims to eliminate the worst forms of child labor in Niger by 2025.(9, 45, 46, 48) In addition, research was unable to determine whether activities were undertaken to implement the National Action Plan to Combat the Sexual Exploitation of Children and UNDAF during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
Centers for Education, Legal, and Preventive Services (SEJUP) [†]	Government program, in collaboration with UNICEF, which aims to provide food, shelter, education, and vocational training to street children, many of whom are victims of child labor. In 2016, operated 34 centers located nationwide.(5, 9, 67)
Project to Reduce Child Labor in Agriculture (2016 –2018) *	\$247,000 FAO-funded program, and implemented by the Ministry of Agriculture, that aims to combat child labor in the agriculture sector, with a focus in the regions of Niamey, Tillabery, Dosso, and Tahoua. (57, 68, 69)
Project to Prevent and Protect Children from Commercial Sexual Exploitation (2015 – 2017)	Government of Luxembourg-funded, 2-year, \$470,000 project to combat commercial sexual exploitation of children in the regions of Niamey, Tillabery, and Dosso. In 2016, provided reintegration services to 2,000 children.(70)
Project Against Forced Labor and Discrimination (PACTRAD II) (2014–2016)	Government program, supported by the ILO, to combat forced labor and discrimination practices against women and children in Niger. In 2016, conducted a training session for local organizations on forced labor, as well as assisted the CNCLTP and ANLTP to conduct a feasibility study to set-up a fund to compensate victims of caste-based servitude.(68, 71, 72)
UNICEF Country Program (2014 – 2017)	UNICEF-funded program that supports the Government’s efforts to improve education, birth registration rates, social inclusion, and strengthening child protection programs, including for children of refugees located in the Diffa region. In 2016, provided protection and reintegration services to 39,856 at-risk children. (31, 73)
World Bank Country Program	World Bank projects in Niger that aim to increase access to quality basic and secondary education, improve school infrastructure, and strengthen safety nets for vulnerable populations. In 2016, started the construction of 360 classrooms in primary schools, provided education grants to 700 girls in secondary school, and delivered cash transfers to 44,888 beneficiary households.(74-76)

* Program was launched during the reporting period.

[†] Program is funded by the Government of Niger.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(77, 78)

Although Niger has programs that target child labor, the scope of these programs is insufficient to fully address the problem, especially in agriculture, herding, mining, and caste-based servitude. Niger also lacks a specific program to assist children exploited by religious instructors.(6, 79)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Niger (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish a compulsory education age equal to or higher than the minimum age of employment.	2016
	Ensure that the minimum age for hazardous work is 1) 18 or 2) 16 and a) children receive adequate training in the type of work; and b) the health, safety, and morals of the child are protected.	2016
	Ensure the types of work that children perform in Niger that fall into a R.190 category, such as work in unhealthy environments, are prohibited to children under 18.	2014 – 2016
	Ensure that the law's minimum age provisions and protections apply to children in unpaid or non-contractual work.	2015 – 2016
	Ensure that the Penal Code provides higher penalties for inciting people to beg and that street children are not compelled to engage in the worst forms of child labor.	2009 – 2016
Enforcement	Ensure the labor inspectorate has authority to determine and assess penalties.	2016
	Increase the resources and number of labor inspectors and criminal investigators responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce.	2009 – 2016
	Ensure inspections and enforcement efforts take place in the informal sector and remote locations, in which most child labor occurs.	2014 – 2016
	Increase efforts to ensure that perpetrators of the traditional forms of caste-based servitude, hereditary slavery, forced mining and begging are prosecuted according to the law.	2010 – 2016
	Publish complete information on labor inspectorate funding, the number and type of labor inspections, violations, and penalties related to child labor, as well as the number of criminal law investigations and violations.	2012 – 2016
	Ensure government social services have sufficient resources and facilities to provide the necessary care to all children withdrawn from hazardous labor.	2015 – 2016
Coordination	Ensure that key coordinating mechanisms are active and receive adequate funding to fulfill their missions.	2011 – 2016
	Disaggregate complaints made to the ANLTP's hotline by number of children trafficked.	2013 – 2016
Government Policies	Adopt and implement the National Action Plan to Combat Child Labor.	2009 – 2016
	Ensure that the National Action Plan to Combat the Sexual Exploitation of Children and UNDAF are implemented.	2016
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including girls, refugees, internally displaced children, and children in rural communities by increasing school infrastructure, teacher availability, and school supplies.	2013 – 2016
	Expand the scope of programs to address the worst forms of child labor, including in agriculture, herding, mining, and caste-based servitude.	2009 – 2016
	Implement a program to target children exploited by religious instructors.	2011 – 2016

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In 2016, Nigeria made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government launched a National Social Protection Program which provides cash transfers to extremely poor households on the condition that their children are enrolled in school. The National Agency for the Prohibition of Trafficking in Persons implemented standard operating procedures for investigation and prosecution of human trafficking cases, and established an anti-human trafficking training center. However, children are engaged in the worst forms of child labor, including in quarrying granite and gravel, commercial sexual exploitation, forced begging, and armed conflict. The legal framework has inconsistencies regarding child labor, and the minimum age for work is below international standards. Child labor enforcement data is also not publicly available, and social programs are not sufficient to address the scope of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Nigeria engage in the worst forms of child labor, including in quarrying granite and gravel, commercial sexual exploitation, forced begging, and armed conflict.(1-5) Table 1 provides key indicators on children's work and education in Nigeria.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	31.1 (13,924,739)
Attending School (%)	5 to 14	76.2
Combining Work and School (%)	7 to 14	26.8
Primary Completion Rate (%)		76.0

Source for primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2016.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2011.(7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of manioc/cassava, cocoa, rice, and tobacco (4, 8-11)
	Herding livestock (12)
	Fishing, activities unknown (13)
Industry	Mining and quarrying granite and gravel (1, 3, 4, 9, 14)
	Artisanal gold mining and processing (4, 9, 15-19)
	Harvesting sand (9)
	Construction, including making bricks and carrying construction materials (4, 13)
Services	Domestic work (3, 4, 13, 20, 21)
	Collecting money on public buses, and automotive repair (3, 12, 21, 22)
	Street work, including vending, begging, and scavenging (3, 4, 13, 20-25)
	Use by state armed groups for domestic work, to carry loads, and to act as messengers and guards (26, 27)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (5, 13, 21, 28, 29)
	Forced begging, domestic work, street vending, textile manufacturing, mining and quarrying gravel and granite, and labor in agriculture, including in cocoa, each sometimes as a result of human trafficking (5, 13, 30-32)
	Use in illicit activities for armed groups, sometimes as a result of forced recruitment, including participating in extortion, armed robbery, and drug trafficking (11, 21-23)
	Forced recruitment of children by non-state armed groups for use in armed conflict (2, 5, 33-35)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

In northern Nigeria, many families send children from rural to urban areas to live with Islamic teachers, known as *mallams*, and receive a Koranic education. These children, known as *almajiri*, may receive lessons, but teachers often force them to beg on the streets and surrender the money they collect.(23, 36) Furthermore, these children are highly vulnerable to recruitment by Boko Haram.(37)

Benin City, the capital of Edo state, is a major human trafficking hub in Africa.(38, 39) Girls from Nigeria are trafficked to North Africa and Europe for forced labor and commercial sexual exploitation.(5, 39-43) In 2016, there was an increase in child trafficking for sexual exploitation, particularly to Europe.(12, 40, 43) Children from West African countries experience forced labor in Nigeria, including in granite mines.(5) Children from Benin and Niger are subjected to forced labor, including forced begging, by corrupt *mallams*.(36, 44, 45) Children from Benin are also exploited in domestic and agricultural work; Togolese children are forced to work in agriculture.(31, 46)

Children as young as age 8 are recruited, and sometimes forced, to participate in armed conflict with various groups, including ethnic militia organizations, criminal gangs, extremist groups, and partisan political organizations, such as party youth wings.(23, 47-49) Boko Haram forcibly recruited and used child soldiers during the reporting period.(2, 5, 27, 35) Reports indicate that children were recruited to participate in combat operations and act as spies, porters, and cooks.(26, 27) There was an increase in the use of young girls to carry out suicide bombings.(2, 33) The terrorist group also subjected girls to forced labor and sexual servitude.(5, 26, 27) Limited research found that the Nigerian military used children rescued or arrested during Boko Haram military operations for domestic work, to carry loads, and to act as messengers and guards.(26, 27) The Nigerian military also conducted on-the-ground coordination with elements of the Borno state government-funded Civilian Joint Task Force (CJTF), a non-state self-defense militia involved in fighting Boko Haram. Research found that the CJTF continued to recruit and use children, possibly by force, to supervise checkpoints, conduct patrols, spy, and apprehend suspected insurgents.(26, 27, 50, 51) The Government of Nigeria has officially prohibited the recruitment and use of child soldiers.(50, 51)

An estimated 1.8 million people were internally displaced in northeast Nigeria, of which 1 million were children under age 18.(52) During the reporting period, reports indicated that children were trafficked from internally displaced persons (IDP) camps for labor and sexual exploitation, and girls were subjected to commercial sexual exploitation in the camps.(5, 53-55) Research found that children in IDP camps are also at risk of human trafficking and other forms of exploitation when they leave the camps unaccompanied to work.(50)




While most public schools in Maiduguri, the capital of Borno State, began reopening in February, the Borno State Government announced that 512 primary schools, 38 secondary schools, and two tertiary institutions had been destroyed in the state.(56, 57) Some school buildings are still being occupied by displaced people seeking shelter from the conflict.(50) Furthermore, government armed forces occupied schools in their campaign against Boko Haram.(57)

Although free and compulsory education is federally mandated by the Education Act, little enforcement of compulsory education laws occurs at the state level.(12) School fees are often charged, and the cost of materials can be prohibitive for families.(12, 13, 58) Access to education is further hindered by a lack of teachers and inadequate sanitation facilities, particularly for girls.(12) Many families favored the enrollment of boys over girls in elementary and secondary school.(13, 59)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Nigeria has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Nigeria's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	12	Section 59(1) of the Labour Act; Sections 28 and 29 of the Child's Right Act (60, 61)
Minimum Age for Hazardous Work	Yes	18	Section 59(6) of the Labour Act; Sections 28 and 29 of the Child's Right Act (60, 61)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Sections 59–61 of the Labour Act; Section 28 of the Child's Right Act; Section 23 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act (60-62)
Prohibition of Forced Labor	Yes		Sections 13, 22, 24, and 25 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act; Sections 28 and 30 of the Child's Right Act (61, 62)
Prohibition of Child Trafficking	Yes		Section 13 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act; Section 30 of the Child's Right Act (61, 62)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 13–17 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act; Sections 30 and 32 of the Child's Right Act; Section 23 of the Cybercrimes Act (61-63)
Prohibition of Using Children in Illicit Activities	Yes		Section 19 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act; Sections 25, 26, and 30 of the Child's Right Act (61, 62)
Minimum Age for Military Recruitment			
State Compulsory	Yes*		
State Voluntary	Yes	18	Section 28 of the Armed Forces Act; Section 34 of the Child's Right Act (61, 64)
Non-state Compulsory	No		Section 19 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act (62)
Compulsory Education Age	Yes	15	Sections 2 and 15 of the Education Act; Section 15 of the Child's Right Act (61, 65)
Free Public Education	Yes		Sections 2 and 3 of the Education Act; Section 15 of the Child's Right Act (61, 65)

* No conscription (64)

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The Federal Child’s Right Act (CRA) codifies the rights of children in Nigeria and must be ratified by each state to become law in its territory.(11, 61) To date, 23 states and the federal capital territory have ratified the CRA; of the remaining 13 states, 12 are in northern Nigeria.(11, 20)

The laws in Nigeria regarding minimum age for employment are inconsistent. The CRA states that the provisions on young people in the Labour Act apply to children under the CRA, but also that the CRA supersedes any other legislation related to children.(61) The CRA restricts children under age 18 from any work except light work for family members; however, Section 59 of the Labour Act, which is in force in all 36 states, sets the minimum employment age at 12.(60, 61, 66) The Labour Act also permits children of any age to do light work alongside a family member in agriculture and domestic work.(60, 67) Furthermore, the minimum age protections in the Labour Act do not apply to children who are self-employed.(60, 67)

Although the Labour Act forbids the employment of youth under age 18 in work that is dangerous to their health, safety, or morals, it does not establish types of hazardous activity that are prohibited to children under 18.(60) The National Steering Committee for the Elimination of the Worst Forms of Child Labor developed a report in 2013 that identified hazardous child labor in Nigeria; however, the Government has not yet determined by law or regulation the types of hazardous work prohibited for children.(4, 67)

In Zamfara state, the *Shari’a* Penal Code, the moral code and religious law of Islam, defines an offender as anyone who “does any obscene or indecent act in a private or public place, or acts or conducts himself/herself in an indecent manner.” This language may cause children forced into commercial sexual exploitation to be treated as offenders instead of victims.(68)

Although the CRA criminalizes using, procuring, and offering a child in the production and trafficking of drugs, the 13 states that have not yet ratified the CRA have no legislation in place to criminalize this activity.(61)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Labor Inspectorate, Ministry of Labor and Employment (MLE)	Deploy labor inspectors across 36 state labor offices and the federal capital territory to enforce federal child labor laws.(11, 69)
National Agency for the Prohibition of Trafficking in Persons and Other Related Matters (NAPTIP)	Enforce laws against human trafficking and exploitative labor.(11) Coordinate with the Ministry of Women’s Affairs and Social Development and state governments to provide child victims with social services and reunite trafficked children with their families.(11) In 2016, developed and implemented standard operating procedures for investigation and prosecution of human trafficking cases. With donor support, also established an anti-human trafficking training center.(70)
Nigeria Police	Enforce all laws prohibiting forced child labor and commercial sexual exploitation. Support MLE and collaborate with NAPTIP on human trafficking enforcement.(11)
Nigeria Immigration Service	Collaborate with NAPTIP to enforce laws against child trafficking.(11)

Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in Nigeria took actions to combat the worst forms of child labor (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	660 (71)	Unknown
Number of Child Labor Dedicated Inspectors	Unknown	Unknown
Inspectorate Authorized to Assess Penalties	Unknown	Unknown
Training for Labor Inspectors		
Initial Training for New Employees	Yes (71)	Unknown
Training on New Laws Related to Child Labor	Unknown	Unknown
Refresher Courses Provided	Unknown	Unknown
Number of Labor Inspections	Unknown	Unknown
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	Unknown	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown
Number of Penalties Imposed That Were Collected	Unknown	Unknown
Routine Inspections Conducted	Unknown	Unknown
Routine Inspections Targeted	Unknown	Unknown
Unannounced Inspections Permitted	Yes (71)	Unknown
Unannounced Inspections Conducted	Unknown	Unknown
Complaint Mechanism Exists	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (36)	Unknown

No labor inspectors are available to conduct inspections on seafaring vessels.(72) The Labour Act states that children ages 15 and older may work onboard these vessels and, therefore, children are unprotected by the country's enforcement framework.(60) Research did not find mechanisms to enforce existing protections for children who perform street work.(73) Enforcement of child labor laws remains challenging due to the lack of resources for inspections.(12, 74)

The Ministry of Labor and Employment (MLE) refers cases of children that are gravely in danger to the National Agency for the Prohibition of Trafficking in Persons and Other Related Matters (NAPTIP); however, research found no other referral mechanisms between MLE and social welfare services.(36)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Nigeria took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Yes (70)
Refresher Courses Provided	Yes (75)	Yes (70)
Number of Investigations	42 (76)	89 (77)
Number of Violations Found	516 (75)	Unknown
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	2 (76)	10 (77)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (5)

In 2016, NAPTIP conducted 89 investigations of the worst forms of child labor in domestic work. The Government rescued 412 children from the worst forms of child labor, 382 children from domestic work, and 30 girls from commercial sexual exploitation.(77)

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NAPTIP coordinates with the Ministry of Women’s Affairs and Social Development and state governments to provide social services to child trafficking victims through the National Referral Mechanism; however, research did not find a referral mechanism for children found in other worst forms of child labor.(11) Children are not excluded from the Terrorism Prevention Act’s penalty of life imprisonment for assisting in acts of terrorism, and criminal law enforcement authorities continued to detain children for their or their parent’s alleged association with Boko Haram.(78-80)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee for the Elimination of the Worst Forms of Child Labor	Coordinate efforts to combat child labor. Led by MLE, comprises representatives from seven governmental agencies, faith-based organizations, NGOs, ILO, and UNICEF.(11, 81)
Inter-Ministerial Taskforce on Trafficking in Persons	Coordinate child labor issues related to human trafficking. Chaired by NAPTIP.(11)
State Steering Committees on Child Labor	Guide state-level implementation of the National Policy and National Action Plan for the Elimination of Child Labor.(81) Established in Akwa Ibom, Delta, Lagos, Ogun, and Oyo states.(82)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
National Policy on Child Labor	Aims to eliminate child labor in Nigeria by 2020.(83)
National Action Plan for the Elimination of Child Labor in Nigeria (2013–2017)	Provides the roadmap for implementation of the National Policy on Child Labor in Nigeria.(81)
NAPTIP Strategic Plan (2012–2017)	Provides a framework for mobilizing NAPTIP and all stakeholders involved in combating human trafficking within Nigeria and internationally.(84)

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(85, 86)

Research was unable to determine whether activities were undertaken to implement the National Policy on Child Labor and National Action Plan for the Elimination of Child Labor during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
Decent Work Country Program II (2015–2018)	ILO-implemented project in coordination with the Government that aims to combat child labor, including its worst forms. Aims to build Government capacity to conduct child labor surveys and establish community-based child labor monitoring systems.(59)
UNICEF country program (2014–2017)	Donor-funded program in coordination with the Government to ensure children associated with armed groups, including those in detention facilities, receive reintegration services.(87-89)
NAPTIP Shelters for Human Trafficking Victims [†]	Government-funded program that operates nine shelters in Nigeria, with a total capacity of 313 victims. Shelters provide legal, medical, and psychological services, as well as vocational training, business management skills, and family reunification.(5)
National Social Protection Program*	\$302 million World Bank-funded program implemented by the Government that aims to provide youth with skills and vocational training, provide primary school students with daily meals, and offer monthly cash transfers to extremely poor households on the condition that their children are enrolled in school.(90)

Table 10. Key Social Programs to Address Child Labor[†] (cont)

Program	Description
Safe Schools Initiative	Donor-funded program implemented by the Government and international organizations that aims to provide remedial education and pilot 10 safe education facilities in northeast Nigeria in Adamawa, Borno, and Yobe states.(91, 92) By April 2016, 213,985 internally displaced and vulnerable children were enrolled in schools.(93)

* Program was launched during the reporting period.

† Program is funded by the Government of Nigeria.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(94)

In 2016, NAPTIP incorporated human trafficking instruction into Nigeria's national public school curriculum.(70) Research found no evidence of programs to specifically address children engaged in agriculture, commercial sexual exploitation, domestic work, forced labor, and illicit activities. Although Nigeria has programs that target child labor, the scope of these programs, including those that target child soldiers, is insufficient to fully address the extent of the problem.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Nigeria (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Increase the minimum age for regular work to at least 14, in accordance with international standards; ensure that national legislation on minimum age for work is consistent and that all children, including those who are self-employed, are protected; and ensure that provisions related to light work conform to international standards.	2009 – 2016
	Ensure that the types of work determined to be hazardous for children are prohibited by law or regulation for all children under age 18.	2009 – 2016
	Ensure that states that apply Shari'a as the penal code do not penalize child victims of commercial sexual exploitation.	2009 – 2016
	Ensure that using, procuring, and offering a child for the production and trafficking of drugs are criminally prohibited in all states.	2015 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Amend the Terrorism Prevention Act to prohibit the punishment of children found engaged in the worst forms of child labor, including recruitment for armed conflict.	2016
Enforcement	Publish information on the Labor Inspectorate's funding, number of labor inspectors, training of labor inspectors and criminal investigators, number and type of labor inspections conducted, and complaint mechanisms between law enforcement and social service providers, as well as the number of violations found and prosecutions initiated.	2009 – 2016
	Ensure that labor inspectors receive sufficient resources to enforce child labor laws.	2016
	Ensure that child labor inspections occur on seafaring vessels and that a mechanism exists for enforcing existing protections for street children.	2010 – 2016
	Establish referral mechanisms between Nigeria's law enforcement and social service agencies for all children found during labor inspections and criminal investigations.	2013 – 2016
	Cease the practice of detaining children associated with armed groups and refer these children to social service providers.	2015 – 2016
	Ensure that the Nigerian Security Forces do not exploit children that are rescued or arrested during military operations.	2016
Government Policies	Take steps to implement the National Policy on Child Labor and National Action Plan to Eliminate Child Labor.	2014 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Social Programs	Ensure an adequate number of trained teachers and provide sufficient educational infrastructure for children, particularly girls, to access schools. Remove all armed groups and forces from schools and compounds.	2015 – 2016
	Ensure that all states adopt programs to offer free education and expand existing programs that provide funds to vulnerable children, especially girls, to cover school fees and the cost of materials.	2014 – 2016
	Establish and expand programs that prevent and remove children from child labor in agriculture, armed conflict, commercial sexual exploitation, domestic work, forced labor, and illicit activities.	2009 – 2016

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In 2016, Oman made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government published a report on child labor and issued regulations outlining the types of products children can legally sell. Although the problem does not appear to be widespread, children in Oman engage in the worst forms of child labor, including in commercial sexual exploitation. The Government does not publish information on the enforcement of child labor laws and lacks a reciprocal mechanism between the labor inspectorate and social services.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although the problem does not appear to be widespread, children in Oman engage in the worst forms of child labor, including in commercial sexual exploitation.(1) Table 1 provides key indicators on children's work and education in Oman. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		105.2

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(2) Data were unavailable from Understanding Children's Work Project's analysis, 2016.(3)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, activities unknown (1, 4, 5)
	Fishing, activities unknown (1, 4-6)
Services	Selling items, including fish [†] and grilled meat [†] (4, 5)
	Begging [†] (1, 7)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation (1, 8)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

The Ministry of Social Development released the country's first major report on child labor. The report indicates that an estimated 330 children, mostly boys, are working, primarily on farms or in subsistence fishing.(1, 4, 5) The majority of these children were ages 16 or 17, with 24 percent between ages 10 and 15.(5)

Limited evidence suggests that the children of migrant workers and children with disabilities may face barriers to accessing education.(1, 8)






Oman

MODERATE ADVANCEMENT

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Oman has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The legal framework in Oman appears to be sufficient to address and protect children from child labor (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Article 46 of the Child Law (9)
Minimum Age for Hazardous Work	Yes	18	Article 76 of the Labor Law; Article 45 of the Child Law (9, 10)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 76 of the Labor Law; Ministry of Manpower Order 217/2016 (10, 11)
Prohibition of Forced Labor	Yes		Articles 1, 2, and 9 of the Law to Combat Human Trafficking; Article 3bis of the Labor Law (10, 12)
Prohibition of Child Trafficking	Yes		Articles 1, 2, and 9 of the Law to Combat Human Trafficking (12)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 1, 2, and 9 of the Law to Combat Human Trafficking; Articles 220, 221, and 224 of the Penal Code (12, 13)
Prohibition of Using Children in Illicit Activities	Yes		Articles 99 and 229 of the Penal Code; Article 58 of the Child Law (9, 13)
Minimum Age for Military Recruitment			
State Compulsory	Yes*		Article 55 of the Child Law (9)
State Voluntary	Yes	16	Article 55 of the Child Law (9)
Non-State Compulsory	Yes	18	Article 55 of the Child Law (9)
Compulsory Education Age	Yes	16 [‡]	Article 36 of the Child Law (9)
Free Public Education	Yes		Article 13 of the Basic Law; Article 36 of the Child Law (9, 14)

* No conscription (15)

‡ Age calculated based on available information (16)

In 2016, the Ministry of Manpower issued an order prohibiting children from being employed in any sector except for the ones that it noted, and it listed sales as a main sector in which children are permitted to work.(11)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Manpower	Monitor and enforce child labor laws, conduct labor inspections, and share information with the Royal Oman Police on labor and criminal law violations when penalties are pursued.(1)
Ministry of Social Development	Enforce the Child Law, including receiving complaints and referring cases to the Royal Oman Police and Public Prosecution.(1)
Royal Oman Police	Monitor and enforce the Child Law, including its provisions related to child labor; refer cases to Public Prosecution.(1)
Public Prosecution	Prosecute human trafficking and sexual exploitation cases in court with assistance from the Royal Oman Police.(1, 17)
Child Protection Committee	Protect children from exploitation, receive complaints and reports of child labor, and investigate reported cases to determine whether children are engaged in prohibited activities or whether working has negative effects on their health or education.(1, 4)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Oman took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown (1)
Number of Labor Inspectors	160 (18)	Unknown (1)
Inspectorate Authorized to Assess Penalties	Unknown (18)	Unknown (1)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Unknown (1)
Training on New Laws Related to Child Labor	Unknown	Unknown (1)
Refresher Courses Provided	Unknown	Unknown (1)
Number of Labor Inspections	Unknown (18)	Unknown (1)
Number Conducted at Worksite	Unknown (18)	Unknown (1)
Number Conducted by Desk Reviews	Unknown	Unknown (1)
Number of Child Labor Violations Found	Unknown (18)	Unknown (1)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown (1)
Number of Penalties Imposed That Were Collected	Unknown	Unknown (1)
Routine Inspections Conducted	Unknown (18)	Unknown (1)
Routine Inspections Targeted	Unknown	Unknown (1)
Unannounced Inspections Permitted	Yes (18)	Yes (1)
Unannounced Inspections Conducted	Yes (18)	Yes (1)
Complaint Mechanism Exists	Yes (18)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (18)	No (1)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Oman took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	No (18)	Unknown (1)
Training on New Laws Related to the Worst Forms of Child Labor	No (18)	Unknown (1)
Refresher Courses Provided	No (18)	Unknown (1)
Number of Investigations	Unknown	Unknown* (1)
Number of Violations Found	Unknown	Unknown* (1)
Number of Prosecutions Initiated	Unknown	Unknown* (1)

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor (cont)

Overview of Criminal Law Enforcement	2015	2016
Number of Convictions	Unknown	Unknown* (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (18)	Unknown (1)

* The Government does not publish this information.

The Royal Oman Police electronically tracks reports of criminal activity and investigations.⁽⁴⁾ Research found no evidence of formal mechanisms or procedures to proactively identify children engaged in the worst forms of child labor.

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Committee on Implementing the UN CRC	Led by the Ministry of Social Development to oversee implementation of the UN CRC, including its provisions related to child labor and its worst forms. There are subcommittees in all 11 governorates. ⁽¹⁾ Other members include three other state agencies. The Ministry of Labor is not represented. ⁽¹⁾
National Committee for Combating Human Trafficking	Oversees the National Plan for Combating Human Trafficking. Includes the Royal Oman Police and 10 other state agencies. ⁽¹⁾

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plan for Combating Human Trafficking	Establishes roles and responsibilities of governmental organizations involved in combating child trafficking and describes procedures for applying the Law to Combat Human Trafficking. ⁽¹⁷⁾ Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.

Although the Government of Oman had adopted the National Plan for Combating Human Trafficking, research found no evidence of a policy to address all forms of child labor, including in farming and fishing.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Programs of the National Plan for Combating Human Trafficking†	Implements awareness-raising activities on human trafficking in schools and among the general population and provides social services for trafficking victims. ⁽¹⁷⁾
Social Security Cash Transfer Program†	Provides assistance to children in low-income families, including educational services. ⁽⁴⁾

† Program is funded by the Government of Oman.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Oman (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Enforcement	Collect and publish data on labor inspectorate funding, the number of inspectors, whether inspectors are authorized to assess penalties, the types of training for the labor inspectorate, the number of inspections and whether they were conducted at the worksite or by desk review only, the number of violations, the penalties imposed and collected, and whether routine and targeted inspections were conducted.	2013 – 2016
	Establish a referral mechanism between law enforcement and social services.	2014 – 2016
	Publish data on the types of training for investigators; the number of criminal investigations, violations, prosecutions, and convictions; and whether there is a reciprocal referral mechanism between criminal authorities and social services.	2013 – 2016
	Develop formal mechanisms and procedures to proactively identify victims of the worst forms of child labor.	2011 – 2016
Coordination	Ensure the Ministry of Labor’s participation in the National Committee on Implementing the UN CRC.	2016
Government Policies	Implement the National Plan for Combating Human Trafficking.	2016
	Develop a national policy to address all worst forms of child labor.	2013 – 2016
Social Programs	Ensure that all children have equal access to education, including the children of migrant workers and children with disabilities.	2011 – 2016

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Pakistan

MODERATE ADVANCEMENT

In 2016, Pakistan made a moderate advancement in efforts to eliminate the worst forms of child labor. Pakistan ratified the UN CRC Optional Protocol on Armed Conflict, and the Punjab Provincial Government passed legislation establishing 15 as the minimum age for employment and 18 as the minimum age for employment in hazardous work. Balochistan Province passed the Child Protection Act, which mandates the creation of child protection units, which provide for a referral mechanism by which rescued children can be placed in protective custody and obtain rehabilitation services. In addition, Punjab Province launched the Elimination of Child Labor and Bonded Labor Project. However, children in Pakistan engage in the worst forms of child labor, including in forced domestic work and bonded labor in brick kilns. Balochistan Province has not established a minimum age for work or a minimum age for hazardous work in compliance with international standards. Provincial Governments do not have the resources necessary to enforce laws prohibiting child labor, including its worst forms.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Pakistan engage in the worst forms of child labor, including in forced domestic work and bonded labor in brick kilns. (1, 2) Table 1 provides key indicators on children's work and education in Pakistan.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent		
		All Pakistan	Punjab Province	Sindh Province
Working (% and population)	5 to 14	Unavailable	12.4	31.5
Attending School (%)	5 to 14	Unavailable	77.1	60.6
Combining work and school (%)	7 to 14	Unavailable	8.2	11.6
Primary completion rate (%)		73.7	Unavailable	Unavailable

Source for primary completion rate: Data from 2015, published by the UNESCO Institute for Statistics, 2016.(3)

Source for all other data: Understanding Children's Work Project's analysis of statistics from the Multiple Indicator Cluster Survey 5, 2014.(4)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including harvesting cotton, wheat, dates, sugarcane, tobacco, and potatoes (5-14)
	Raising livestock (7, 8, 10)
	Fishing,† including deep-sea fishing,† and harvesting and processing shrimp† (15-17)
Industry	Manufacturing glass bangles,† surgical instruments,† and palm leaf mats (10, 12, 18, 19)
	Weaving carpets,† tanning leather,† stitching soccer balls, weaving cloth using power looms,† and producing incense (6, 14, 16, 17, 20-24)
	Producing bricks; mining coal,† salt, and gemstones; and quarrying and crushing stone,† including gypsum (2, 5, 6, 10, 14, 21, 23, 25-30)
	Welding and steel fabrication, carpentry in small workshops, and construction† (8, 10, 21, 26, 28, 29, 31)
Services	Domestic work (6, 26, 28, 32-35)
	Working in hotels, restaurants, tea stalls, gas stations, and transportation (5-7, 9, 10, 21, 23, 26, 28, 29, 33, 36, 37)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Services	Scavenging [†] and sorting recyclables and collecting waste paper (6, 10, 11, 13, 20, 21, 23, 29, 38)
	Automobile repair (6, 7, 13, 21, 23, 26, 28, 29, 37)
Categorical Worst Forms of Child Labor [‡]	Forced labor in brickmaking, carpet weaving, agriculture, manufacturing glass bangles, and mining coal (2, 13, 14, 24, 39, 40)
	Forced domestic work, sometimes as a result of human trafficking (1, 35, 40)
	Commercial sexual exploitation, sometimes as a result of human trafficking (13, 40, 41)
	Forced begging, sometimes as a result of human trafficking (13, 40, 42)
	Forced recruitment of children by non-state armed groups for use in armed conflict (17, 40)
	Use in illicit activities, including trafficking and producing drugs (17)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

A national child labor survey has not been conducted since 1996, and the lack of recent data hampers the ability of the Federal and Provincial Governments to accurately assess the scope and prevalence of child labor.(13) Many child domestic workers are working under conditions of forced labor, including debt bondage, sexual assault, and extreme physical abuse.(1, 35, 40) Some children work with their families as bonded laborers in the production of bricks.(13, 40)




Non-state militant groups, such as pro-Taliban insurgents, force children to engage in espionage, armed conflict, and suicide attacks.(17, 40) There are reports that religious schools are used for military recruitment and training for armed groups.(43)

Many children face barriers in accessing education due to high rates of teacher absenteeism, inadequate facilities, lack of transportation, and corporal punishment, which may deter children from attending school.(17, 44, 45) Armed groups and extremist groups regularly attack and threaten schools, disrupting children’s access to education.(17, 46)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Pakistan has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

In 2016, Pakistan ratified the UN CRC Optional Protocol on Armed Conflict.

The Federal Government and Provincial Governments, including Balochistan, Khyber Pakhtunkhwa, Punjab, and Sindh have established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Pakistan’s legal framework to address and protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Related Entity	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Federal	No	15	Section 50 of the Factories Act; Section 20 of the Shops and Establishments Ordinance; Section 26 of the Mines Act (47-49)
	Punjab	Yes	15	Section 3(1) of the Punjab Restriction on Employment of Children Ordinance; Section 5 of the Punjab Prohibition of Child Labor at Brick Kilns Act (50, 51)
	Khyber Pakhtunkhwa	Yes	15	Sections 2(1)(b) and 3(1) of the Khyber Pakhtunkhwa Prohibition of Employment of Children Act (52)
	Sindh	No	15	Section 3(1) of the Sindh Prohibition of Employment of Children Act; Section 81 of the Sindh Factories Act; Section 20 of the Sindh Shops and Commercial Establishment Act (53-55)
Minimum Age for Hazardous Work	Federal	No	15	Sections 2–3 of the Employment of Children Act (56)
	Punjab	Yes	18	Section 3(2) of the Punjab Restriction on Employment of Children Ordinance (51)
	Khyber Pakhtunkhwa	Yes	19	Sections 2(1)(a) and 3(2) of the Khyber Pakhtunkhwa Prohibition of Employment of Children Act (52)
	Sindh	Yes	19	Section 3(2) of the Sindh Prohibition of Employment of Children Act (55)
Identification of Hazardous Occupations or Activities Prohibited for Children	Federal	Yes		Parts 1–2 of the Schedule of the Employment of Children Act (56)
	Punjab	Yes		Schedule of Hazardous Work of the Punjab Restriction on Employment of Children Ordinance (51)
	Khyber Pakhtunkhwa	Yes		Parts 1–2 of the Schedule of the Khyber Pakhtunkhwa Prohibition of Employment of Children Act (52)
	Sindh	Yes		Schedule of the Hazardous Work of the Sindh Prohibition of Employment of Children Act (55)
Prohibition of Forced Labor	Federal	Yes		Section 4 of the Bonded Labor System (Abolition) Act; Sections 367, 370, 371A, 371B, and 374 of the Penal Code (57, 58)
	Punjab	Yes		Section 11(3) of the Punjab Restriction on Employment of Children Ordinance; Section 4 of the Punjab Bonded Labor System (Abolition) Act (51, 59)
	Khyber Pakhtunkhwa	Yes		Sections 2(j) and 3 of the Khyber Pakhtunkhwa Bonded Labor System (Abolition) Act (60)
	Sindh	Yes		Section 4 of the Sindh Bonded Labor System (Abolition) Act (61)
Prohibition of Child Trafficking	Federal	No		Sections 2 and 3 of the Prevention and Control of Human Trafficking Ordinance; Sections 366A and 366B of the Penal Code (58, 62)
	Khyber Pakhtunkhwa	No		Section 52 of the Khyber Pakhtunkhwa Child Protection and Welfare Act (63)
Prohibition of Commercial Sexual Exploitation of Children	Federal	No		Sections 292(B) and (C) (64)
	Punjab	Yes		Section 11(3)(b) of the Punjab Restriction on Employment of Children Ordinance; Section 40 of the Punjab Destitute and Neglected Children Act (51, 65)
	Khyber Pakhtunkhwa	No		Sections 48 and 50 of the Khyber Pakhtunkhwa Child Protection and Welfare Act (63)
Prohibition of Using Children in Illicit Activities	Federal	No		
	Punjab	Yes		Section 11(3)(c) of the Punjab Restriction on Employment of Children Act; Section 36 of the Punjab Destitute and Neglected Children Act (51, 65)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Related Entity	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Using Children in Illicit Activities	Khyber Pakhtunkhwa	No		Sections 35, 38, and 45 of the Khyber Pakhtunkhwa Child Protection and Welfare Act (63)
Minimum Age for Military Recruitment				
State Compulsory	Federal	N/A*		
State Voluntary	Federal	Yes	18	Section 3 of the National Service Ordinance (66)
Non-state Compulsory	Federal	No		
	Punjab	Yes	18	Section 11(3)(a) of the Punjab Restriction on Employment of Children Act(51)
Compulsory Education Age	Federal	Yes	16	Section 3 of the Right to Free and Compulsory Education Act (67)
	Punjab	Yes	16	The Punjab Free and Compulsory Education Ordinance (68)
	Sindh	Yes	16	Section 3(1) of the Sindh Right of Children to Free and Compulsory Education Act (69)
	Balochistan	Yes	16	Section 3 of the Balochistan Compulsory Education Act (70)
Free Public Education	Federal	Yes		Section 3 of the Right to Free and Compulsory Education Act (67)
	Punjab	Yes		The Punjab Free and Compulsory Education Act (68)
	Sindh	Yes		Section 3(1) of the Sindh Right of Children to Free and Compulsory Education Act (69)
	Balochistan	Yes		Section 2(f) of the Balochistan Compulsory Education Act (70)

* No conscription (66)

The 18th Amendment to the Pakistan Constitution devolves all child welfare and labor issues from the Federal Government to the four Provincial Governments. Until each Province repeals or adopts a replacement law, Federal child labor laws are in force.(71) According to the Constitution, both Federal and Provincial Governments can pass legislation on criminal law.(72)

In 2016, Punjab Province passed the Punjab Restriction on Employment of Children Act, which establishes age 15 as the minimum age for employment and age 18 as the minimum age for employment in hazardous work.(51) The Province also passed the Punjab Prohibition of Child Labor at Brick Kilns Act, which prohibits the employment of children under age 14 at brick kilns.(50) During the year, Sindh Province passed laws prohibiting children under age 15 from working in factories and commercial establishments.(53, 54) Sindh Province also passed the Sindh Bonded Labor System (Abolition) Act.(61, 73) The Federal Government gave the final approval for the Criminal Law (Second Amendment) Act, which prohibits the use of children in pornography.(64)

In 2017, Sindh Province passed the Sindh Prohibition of Employment of Children, which establishes age 15 as the minimum age for employment and age 19 as the minimum age for employment in hazardous work.(55)

Pakistan's Federal and Provincial laws are not completely in compliance with international standards on child labor, including the worst forms of child labor. Balochistan Province has not established a minimum age for employment or a minimum age for hazardous work. The Federal law setting the minimum age of 15 for hazardous work is not in compliance with international standards.(56) Hazardous work prohibitions for the Federal Government and the Khyber Pakhtunkhwa, Punjab, and Sindh Provinces are not comprehensive because they do not cover brickmaking and domestic work.(51, 52, 55, 56) The Federal Government's minimum age for work and minimum age for hazardous work are not in compliance with international standards because they do not extend to informal employment.(47-49, 56) Sindh Province's laws setting the minimum age for work also do not extend to informal work, because they apply only to factories that employ 10 or more employees, and shops and establishments.(53, 54)

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The Prevention and Control of Human Trafficking Ordinance and the Khyber Pakhtunkhwa Child Protection and Welfare Act do not comply with international standards because they do not provide that children can be trafficked without coercion. These laws are also insufficient because they do not specifically prohibit internal human trafficking.(62, 63) The Khyber Pakhtunkhwa Child Protection and Welfare Act further does not comply with international standards because it prohibits child trafficking only for exploitative entertainment.(63)

The Federal Penal Code does not specifically prohibit the use, procuring, and offering of children for pornographic performances. (58) Although the Khyber Pakhtunkhwa Child Protection and Welfare Act prohibits the use of a child for the production of pornography, the law does not prohibit procuring and offering a child for the production of pornography. It also does not prohibit using, procuring, and offering of a child for prostitution or pornographic performances.(63)

Federal and Provincial laws, with the exception of the Punjab Provincial law, do not prohibit the use of children in drug production and drug trafficking.(51, 63) The Federal and Provincial Governments, with the exception of Punjab Province, have not enacted laws that prohibit the recruitment and use of children by non-state groups for armed conflict.(17)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Provincial Labor Inspectors	Inspect industrial areas and markets to identify child labor violations, enforce Provincial labor laws, and pursue legal action against employers.(17)
Provincial and Regional Police	Enforce violations of Federal and Provincial laws, including the Pakistan Penal Code and the Bonded Labor System (Abolition) Act, concerning the worst forms of child labor. Refer children taken into custody to Child Protection Officers.(17)
District Vigilance Committees	Implement the Bonded Labor System (Abolition) Act and assist in rehabilitating bonded laborers. Report to the District Magistrate. (17, 57)
Anti-Trafficking Unit of the Federal Investigation Agency	Enforce transnational trafficking-related laws, particularly the Prevention and Control of Human Trafficking Ordinance. Cooperate with other governments on trafficking cases, operate a hotline for victims, and publish information on anti-trafficking efforts on its Web site.(17)
Child Protection Units	Take into custody at-risk children, including those rescued from exploitative labor situations. Present cases of children taken into custody to the Child Protection Court or the appropriate authority. Established in Punjab, Khyber Pakhtunkhwa, and Sindh Provinces.(17, 63, 65, 74-76)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Pakistan took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	Related Entity	2015	2016
Labor Inspectorate Funding		Unknown (77)	Unknown (17)
Number of Labor Inspectors	National Total	Unknown	334 (78)
	Punjab	Unknown	130 (78)
	Khyber Pakhtunkhwa	54 (77)	39 (78)
	Sindh	138 (77)	120 (78)
	Balochistan	Unknown	45 (78)
Inspectorate Authorized to Assess Penalties		Yes (77)	Yes (17)
Training for Labor Inspectors			
	Initial Training for New Employees	Unknown (77)	Unknown
	Training on New Laws Related to Child Labor	Unknown (77)	Unknown (17)
	Refresher Courses Provided	Yes (77)	Yes (17)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	Related Entity	2015	2016
Number of Labor Inspections	National Total	Unknown (77)	68,924 (78)
	Punjab	Unknown	9,237 (78)
	Khyber Pakhtunkhwa	2,094 (77)	45,367 (78)
	Sindh	50,000† (77)	4,933 (78)
	Balochistan	Unknown	9,387 (78)
Number Conducted at Worksite		Unknown (77)	Unknown (17)
Number Conducted by Desk Reviews		Unknown (77)	Unknown (17)
Number of Child Labor Violations Found	National Total	Unknown (77)	Unknown (17)
	Punjab	Unknown	773 (17)
	Khyber Pakhtunkhwa	120 (77)	Unknown
	Sindh	Unknown	28 (17)
Number of Child Labor Violations for Which Penalties Were Imposed	National Total	Unknown (77)	Unknown (17)
	Punjab	Unknown	268 (17)
	Khyber Pakhtunkhwa	1 (77)	Unknown
Number of Penalties Imposed That Were Collected		1 (77)	Unknown (17)
Routine Inspections Conducted		Yes (77)	Yes (17)
Routine Inspections Targeted		Unknown (77)	Unknown (17)
Unannounced Inspections Permitted		Yes (77)	Yes (17)
Unannounced Inspections Conducted		Unknown (77)	Unknown (17)
Complaint Mechanism Exists		Yes (77)	Yes (17)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services		Yes (77)	Yes (17)

† Data are from 2014 and 2015.

Following the devolution of Federal powers to Provincial Governments, the Provinces are responsible for enforcing labor laws, including those involving child labor law violations.(17) Limited labor inspection data are available for the Provincial Governments.

The number of labor inspectors is insufficient for the size of Pakistan's workforce, which includes more than 65 million workers. According to the ILO's recommendation of 1 inspector for every 40,000 workers in less developed economies, Pakistan should employ about 1,628 inspectors.(79-81) Provincial agencies that support law enforcement are also severely under-resourced. For example, labor inspectors receive very little training and have insufficient resources, which hamper the labor inspectorate's ability to inspect workplaces.(17, 82, 83)

Labor inspections vary across Provincial Governments. In Punjab, inspections are conducted regularly, but in Sindh, inspectors have stopped conducting unannounced inspections, and inspections are sporadic due to harassment.(17, 82) In 2016, labor inspectors in Khyber Pakhtunkhwa conducted 45,367 inspections. Each inspector therefore conducted an average of 1,163 inspections during this period.(78) This is a high number of inspections conducted by each inspector, and it is unknown whether this high number affects the quality of inspections. Across the provinces, fines and penalties are assessed infrequently and are insufficient to deter employers from using child labor.(71, 77)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Pakistan took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown (77)	Yes (84)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (77)	Unknown (17)
Refresher Courses Provided	Yes (85)	Unknown (17)
Number of Investigations	Unknown (77)	Unknown (17)
Number of Violations Found	Unknown (77)	Unknown (17)
Number of Prosecutions Initiated	Unknown (77)	Unknown (17)
Number of Convictions	Unknown (77)	Unknown (17)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (77)	Yes (17)

In 2016, Balochistan Province passed the Child Protection Act, which mandates the creation of child protection units to provide a referral mechanism by which rescued children can be placed in protective custody and obtain rehabilitation services.(76)

Although some District Vigilance Committees have been established in Pakistan, many of the committees are inactive or ineffective.(40)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Ministry of Overseas Pakistanis and Human Resource Development Child Labor Focal Point	Coordinate government efforts to eliminate child labor at the Federal and Provincial levels. Responsible for developing a national strategy to eliminate child labor and works with Provincial Governments to adopt legislation and conduct child labor surveys.(86)
Interagency Task Force	Coordinate the anti-human trafficking efforts of the Ministry of the Interior, intelligence and law enforcement agencies, the Ministry of Law and Justice, and the Ministry of Foreign Affairs. Support 27 Federal Investigation Agency anti-trafficking units that work with Provincial and district police officers to monitor and combat internal and transnational human trafficking.(40, 87) Maintain an Integrated Border Management System.(88)
Punjab Child Protection and Welfare Bureau	Coordinate the protection of destitute and neglected children by appointing child protection officers, supervising child protection units, and establishing child protection institutions and child protection courts.(65)
Khyber Pakhtunkhwa Child Protection and Welfare Commission	Coordinate efforts to enhance the safety, welfare, and well-being of children, including by running programs for the prevention of exploitative child labor practices.(89) Led by the Province's Social Welfare, Special Education and Women Empowerment Department.(90)
Sindh Child Protection Authority	Coordinate efforts to ensure the rights of children in need of special protection, including child laborers, by establishing child protection units and appointing child protection officers.(75) Headed by the Provincial minister; members include two parliamentarians, lawyers, social activists, and representatives from departments that deal with children's issues.(91)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[†]

Policy	Description
Provincial Plans of Action to Combat Child Labor	Details how each Province plans to revise child labor legislation, including by strengthening the capacity of labor inspectors, generating awareness of child labor, improving reporting, and computerizing labor inspection data.(92)
Sindh and Punjab Provincial Plans of Action to Combat Bonded Labor	Details how the Sindh and Punjab Provinces plan to revise their bonded labor laws. Includes plans to strengthen the capacity of labor inspectors, generate awareness of bonded labor, improve reporting, and computerize labor inspection data.(93)

Table 9. Key Policies Related to Child Labor[‡] (cont)

Policy	Description
Federally Administered Tribal Areas (FATA) Child Protection Policy	Describes how FATA will promote and create a protective environment for all children. Includes actions to be taken toward the prevention and elimination of child labor.(94)
Punjab Labor Policy	Seeks to improve working conditions, eradicate child and bonded labor, and establish social safety for workers and their families. Includes the goal of ending all child labor in brick kilns, in addition to the construction of schools, hospitals, and residences for workers.(95)

‡ The Government has other policies which may have addressed child labor issues or had an impact on child labor. (97-103)

The Provincial Government education policies have not included child labor elimination and prevention strategies.(96-102)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
<i>Bait-ul-Mal programs</i> [‡]	Government-funded programs that aim to remove children from child labor, including its worst forms, and to increase vulnerable children's access to education. Programs include the National Centers for Rehabilitation of Child Labor and the Child Support Program.(103, 104)
Sabawoon Rehabilitation Center [†]	Pakistan Army center that rehabilitates children who were recruited and ideologically influenced by terrorist organizations and militant groups. Reintegrates youth into society by providing psychological treatment, education, and vocational training.(87, 105)
Elimination of Child Labor and Bonded Labor Project (Integrated Project for Promotion of 'Decent Work for Vulnerable Workers' in Punjab Province) ^{*†}	Punjab Government-funded programs that aims to provide education to vulnerable children, rehabilitate bonded laborers working in brick kilns, promote integration and coordination of government responses, strengthen legislation, increase the capacity of law enforcement and service providers, and increase the knowledge base on these issues.(106-108)
ILO-Funded Projects	ILO projects in Pakistan that aim to eliminate child labor, including its worst forms. These project include Education Program for Children of Brick Kiln Workers, implemented by the Government of Punjab in the Punjab Province; Strengthening Capacity of Constituents to Address Unacceptable Forms of Work Focusing on Child Labor, Bonded Labor and Informal Economy Workers (2015–2016); and Elimination of Child Labour and Promotion of Decent Work in the Stora Enso Value Chain (2015–2017).(109-111)
<u>Global Action Program on Child Labor Issues</u>	USDOL-funded project, implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by The Hague Global Child Labor Conference in 2010. Aims to strengthen legal protections and social services delivery for child domestic workers in Pakistan.(112) Additional information is available on the USDOL Web site .

* Program was launched during the reporting period.

† Program is funded by the Government of Pakistan.

The social programs of the Federal and Provincial Governments are insufficient to address the prevalence and scope of Pakistan's child labor problem. Existing programs also do not provide enough protection and rehabilitation services for bonded laborers and victims of human trafficking.(40) Government initiatives are needed to specifically target child domestic workers and child labor in the informal sector.(83) Additional social programs are also necessary to raise awareness and provide assistance to children used by non-state militant groups to engage in armed conflict.(113)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Pakistan (Table 11).

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Table 11. Suggested Government Actions to Eliminate Child Labor, Including Its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2013 – 2016
	Ensure that the age up to which education is compulsory is the same as the minimum age for work in Balochistan Province.	2009 – 2016
	Establish a minimum age of 18 for hazardous work in the Federal Government and Balochistan Province.	2009 – 2016
	Create comprehensive prohibitions against additional specific hazardous activities, such as brickmaking and domestic work.	2009 – 2016
	Ensure that the Federal Government's and Sindh Province's minimum age laws extend to all sectors and informal employment, regardless of the number of employees.	2011 – 2016
	Ensure that the law criminalizes child trafficking in compliance with international standards, including internal trafficking within Pakistan.	2011 – 2016
	Ensure that the law criminalizes the use, procurement, and offering of children in all forms of commercial sexual exploitation, including for prostitution, child pornography and pornographic performances.	2011 – 2016
	Ensure that the law prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2011 – 2016
	Ensure that the law criminally prohibits the recruitment and use of children under 18 by non-state groups for armed conflict.	2015 – 2016
Enforcement	Collect and publish enforcement data for child labor law violations and criminal violations of laws prohibiting the worst forms of child labor.	2010 – 2016
	Hire a sufficient number of labor inspectors for the size of the workforce to enforce child labor laws.	2016
	Provide the funding necessary to adequately hire, train, and equip inspectors and investigators to enforce laws prohibiting the worst forms of child labor.	2010 – 2016
	Allow labor inspectors in all Provinces to conduct inspections and assess penalties at any time, without notice.	2011 – 2016
	Determine whether the inspection ratio for each labor inspector in Khyber Pakhtunkhwa is appropriate to ensure the quality and scope of inspections.	2016
	Ensure that fines and penalties are sufficient to deter employers from violating child labor laws.	2014 – 2016
	Publish information about criminal law investigations, violations found, prosecutions initiated, and the number of convictions in all provinces.	2016
Ensure that vigilance committees are established and active throughout Pakistan.	2013 – 2016	
Government Policies	Integrate child labor elimination and prevention strategies in the education policies of the Provincial Governments.	2014 – 2016
Social Programs	Conduct child labor surveys at the Federal and Provincial levels.	2009 – 2016
	Ensure that all children have access to free and compulsory education, as required by law.	2011 – 2016
	Increase the size and scope of government programs to reach children working in the worst forms of child labor, including domestic workers, bonded child laborers, and victims of human trafficking.	2009 – 2016
	Implement programs to raise awareness of and provide assistance to children used by non-state militant groups to engage in armed conflict.	2011 – 2016

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Panama

SIGNIFICANT ADVANCEMENT

In 2016, Panama made a significant advancement in efforts to eliminate the worst forms of child labor. The Government ratified the ILO Protocol to the Forced Labor Convention, updated the list of hazardous occupations for children, and signed an agreement with the Governments of Guatemala and the Dominican Republic to advance the elimination of child labor through research and the exchange of information. In addition, a regional committee to coordinate on child labor issues was created in Veraguas, the National Institute of Statistics conducted a national child labor survey, and the Directorate Against Child Labor and for the Protection of Adolescent Workers institutionalized a national training agenda for child labor inspectors. However, children in Panama perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Panamanian law does not adequately define light work and allows minors under age 16 to engage in hazardous work within training establishments. Moreover, inadequate resources, including an insufficient number of inspectors, hamper the labor inspectorate's capacity to enforce laws on the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Panama perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1-10) Table 1 provides key indicators on children's work and education in Panama.

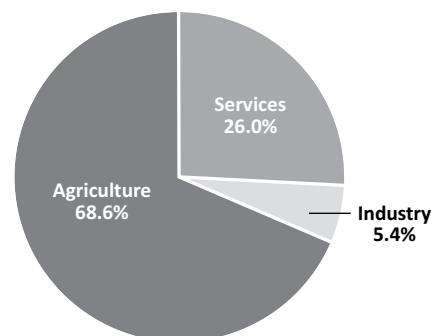
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.7 (32,858)
Attending School (%)	5 to 14	94.9
Combining Work and School (%)	7 to 14	4.9
Primary Completion Rate (%)		102.0

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2016.(11)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta de Trabajo Infantil (ETI), 2014.(12)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of beans, cereal grains, coffee, corn, melons, oilseeds, onions, pineapple, rice, sugarcane, and tomatoes (5-7, 13-24)
	Raising livestock, including cattle (1-3, 5, 6, 19)
	Fishing,† including harvesting shellfish (1-4, 6, 19, 25, 26)
Industry	Construction,† activities unknown (1, 3, 4, 27, 28)
Services	Scavenging the ocean for metal and other items (5, 6)
	Domestic work† (1, 3, 4, 6, 13, 15, 19, 25, 27-30)
	Assisting bus drivers by collecting fares† (31, 32)
	Bagging in supermarkets (5, 32-34)
	Street work, including selling goods on the street, washing cars, shoe shining, and collecting recyclables (3-7, 19, 24, 25, 27, 29, 32-43)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [‡]	Forced domestic work (44)
	Use in the production of pornography (4, 6)
	Commercial sexual exploitation, sometimes as a result of human trafficking (4, 8-10)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.




[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Some children in Panama are subjected to commercial sexual exploitation, mainly in tourist areas in Panama City and in beach communities.(5, 7, 10) According to the results of Panama’s 2016 biennial Survey on Child Labor, the highest prevalence of child labor is in rural areas and autonomous indigenous areas. *Comarca* Ngäbe Buglé and the provinces of Panama and Bocas del Toro had the highest number of children engaged in child labor.(1) Panamanian children from rural areas and children from indigenous and Afro-Panamanian communities are particularly vulnerable to the worst forms of child labor. These children face barriers to accessing education, including long distances to schools and insufficient roads and transportation, particularly in the indigenous *comarcas*.(4, 10, 44-47) Children of indigenous descent often travel significant distances to reach school and experience frequent interruptions of their education due to family migration to work in agriculture.(5, 6, 46, 47)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Panama has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

In 2016, Panama ratified the ILO Protocol to the Forced Labor Convention.(48, 49)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Panama’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Article 70 of the Constitution; Articles 508–509 and 716 of the Family Code; Articles 117, 119, and 123 of the Labor Code (50-52)
Minimum Age for Hazardous Work	No	18	Article 510 of the Family Code; Article 203 of the Penal Code; Article 4 of Executive Decree No. 19 of 2006; Article 118 of the Labor Code (51-55)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 2 and 3 of Executive Decree No. 19 of 2006; Article 118 of the Labor Code; Article 510 of the Family Code (51, 52, 54)
Prohibition of Forced Labor	Yes		Articles 157–158, 205–208, and 456 of the Penal Code; Article 489 of the Family Code; Article 21 of the Constitution (50, 51, 53, 56)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Child Trafficking	Yes		Articles 205–208 and 456 of the Penal Code; Article 489.17 of the Family Code (51, 53, 56)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 179–187, 189–191, 202–203, 207, and 456 of the Penal Code (53, 56)
Prohibition of Using Children in Illicit Activities	Yes		Articles 318, 333, and 336 of the Penal Code; Article 489.16 of the Family Code; Article 2.16 of Executive Decree No. 19 of 2006 (51, 53, 54)
Minimum Age for Military Recruitment			
State Compulsory	N/A†		
State Voluntary	N/A†		
Non-state Compulsory	Yes	18	Article 448 of the Penal Code (53)
Compulsory Education Age	Yes	15	Articles 34 and 45 of the Law on Education; Article 489 of the Family Code; Article 95 of the Constitution (50, 51, 57, 58)
Free Public Education	Yes		Articles 34 and 41 of the Law on Education; Article 95 of the Constitution (50, 57, 58)

† No standing military (50, 59)

Although the Constitution, Family Code, and Labor Code set the minimum age for employment at age 14, the Family Code and Labor Code specify exceptions for domestic and agricultural work.(50-52) Article 716 of the Family Code permits children ages 12 to 14 to perform domestic and agricultural work as regulated by the Labor Code.(51) Article 119 of the Labor Code allows children ages 12 to 15 to perform light work in agriculture if the work is outside regular school hours, and Article 123 allows children over the age of 12 to perform light domestic work. The Labor Code, however, does not define the kinds of tasks children may perform as light work or the total number of hours they may work.(52)

Article 118 of the Labor Code and Article 510 of the Family Code allow minors to perform hazardous work in training establishments, when the work is approved by the competent government authority and carried out under its supervision, but neither law establishes a minimum age for this work.(51, 52) In 2016, the Government updated the list of hazardous occupations for children, including by adding Article 2-A establishing age 14 as the minimum age for hazardous work within training establishments.(55)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MITRADEL)	Enforce child labor laws through two directorates with direct authority over child labor matters: the Directorate Against Child Labor and for the Protection of Adolescent Workers (DIRETIPPAT) and the Labor Inspection Directorate.(40) The Labor Inspection Directorate enforces the Labor Code in areas where children may be working, particularly in the formal sector. DIRETIPPAT is responsible for overseeing the enforcement of laws related to working children in the formal and informal sectors; plans and executes public policies; and carries out education programs on child labor for employers, parents, and children. (40, 60-62) Refer cases of children found in exploitative work to the Child and Adolescent Courts or to the National Secretariat for Childhood, Adolescence, and Family (SENNIAF).(40)
Attorney General's Office	Investigate and prosecute crimes of sexual exploitation. Investigations initiated by the Judicial Investigative Directorate; cases passed to the prosecutors.(63)
SENNIAF	Conduct inspections to identify children and adolescents engaged in child labor, particularly in the informal sector.(3) Monitor and coordinate a network of government services to address needs of vulnerable populations.(34, 40) Run shelters for victims of human trafficking, including minors.(64)

Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Childhood and Adolescence Police	Conduct inspections to identify children and adolescents engaged in child labor, particularly in the informal sector.(3) Support SENNIAF inspections in areas with high rates of child labor.(34)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Panama took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$1,747,599 (5)	\$1,743,733 (4)
Number of Labor Inspectors	85 (5)	85 (4)
Number of Child Labor Dedicated Inspectors	4 (5)	4 (4)
Inspectorate Authorized to Assess Penalties	Yes (5)	Yes (4)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (5)	Yes (4)
Training on New Laws Related to Child Labor	Yes (5)	Yes (4)
Refresher Courses Provided	Yes (5)	Yes (4)
Number of Labor Inspections	17,935 (4)	15,331 (4)
Number Conducted at Worksite	17,935 (4)	15,331 (4)
Number Conducted by Desk Reviews	0 (4)	0 (4)
Number of Child Labor Violations Found	78 (65)	88 (4)
Number of Child Labor Violations for Which Penalties Were Imposed	29 (65)	37 (4)
Number of Penalties Imposed That Were Collected	1 (65)	37 (4)
Routine Inspections Conducted	Yes (5)	Yes (4)
Routine Inspections Targeted	Yes (5)	Yes (4)
Unannounced Inspections Permitted	Yes (5)	Yes (4)
Unannounced Inspections Conducted	Yes (5)	Yes (4)
Complaint Mechanism Exists	Yes (5)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (5)	Yes (4)

In 2016, the Ministry of Labor (MITRADEL) conducted 1,404 child labor inspections, an increase from the 1,337 child labor inspections MITRADEL conducted in 2015.(4, 5) Also during the reporting period, the Directorate Against Child Labor and for the Protection of Adolescent Workers (DIRETIPPAT) institutionalized a national training agenda for child labor inspectors and removed 1,280 children from situations of hazardous child labor, incorporating these children into the Direct Government Action Program for the Prevention and Eradication of Child Labor.(4) MITRADEL reported that the budget for DIRETIPPAT was insufficient to meet its commitments for coordination, implementation, and monitoring related to child labor.(46)

The number of labor inspectors is insufficient for the size of Panama's workforce, which includes more than 1 million workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Panama should employ roughly 107 labor inspectors.(66-68) Enforcement of child labor laws remains challenging due to the lack of resources for inspections, and MITRADEL noted that the number of labor inspectors employed and labor inspections conducted were insufficient.(46) Civil society groups have stated that labor inspections in Panama focus primarily on the formal sector, leaving children in the informal sector vulnerable.(7, 10) Moreover, unannounced labor inspections are not conducted in agricultural areas outside of Panama City.(5) MITRADEL has also indicated that Article 125 of the Labor Code sanctions fines ranging from \$50 to \$700 for child labor violations but does not specify whether the employer can be charged this amount per each affected worker.(3, 5, 7)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Panama took actions to combat the worst forms of child labor (Table 7).

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Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (5)	Yes (4)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (5)	Yes (4)
Refresher Courses Provided	Yes (5)	Yes (4)
Number of Investigations	16 (64)	Unknown
Number of Violations Found	5 (64)	Unknown
Number of Prosecutions Initiated	2 (64)	Unknown
Number of Convictions	1 (64)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Yes (4)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Committee for the Eradication of Child Labor and the Protection of Adolescent Workers	Coordinate various efforts to combat child labor. Led by the First Lady of Panama and includes MITRADEL; the ministries of Education, Health, and Agriculture; and representatives from civil society and organizations of workers and employers.(69) Conduct a National Child Labor Survey every 2 years.(5) In 2016, opened a regional committee in Veraguas.(70)
Subcommittee to Combat Child Labor	Incorporate Panamanian Institute for Sports and the Ministry of Education in efforts to address child labor and its causes. Subcommittee of the Committee for the Eradication of Child Labor and the Protection of Adolescent Workers. (7, 46, 62, 71)
National Commission for the Prevention of Crimes of Sexual Exploitation (CONAPREDES)	Coordinate, advise, and implement public policies for the prevention and eradication of sexual exploitation through specific actions, projects, and programs; study related trends and prevalence.(69) Members include the Attorney General as well as the Ministries of Labor, Education, Social Development, and Health. Refer cases of sexual exploitation to the Attorney General's Office.(39, 69)

MITRADEL has noted the need for increased coordination on efforts to address child labor, including within MITRADEL and with social service agencies and referral mechanisms.(46)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
Roadmap Towards the Elimination of Child Labor (2016–2019)	Aims to eliminate all forms of child labor in Panama by 2020 by strengthening anti-poverty, health, and educational programs and policies.(72-74)
National Action Plan for the Prevention and Elimination of Sexual Commercial Exploitation of Children and Adolescents	Aims to prevent and eliminate the sexual commercial exploitation of children and adolescents, including by providing services to victims, strengthening CONAPREDES, and raising awareness. Implemented by CONAPREDES, with support from the Public Ministry.(39, 40, 69, 75)
National Plan Against Trafficking in Persons (2012–2017)	Aims to combat human trafficking through prevention, victim assistance, and international cooperation. Includes provisions to protect child victims of human trafficking.(76)

In June 2016, the Governments of Panama, Guatemala, and the Dominican Republic signed an agreement to conduct research and exchange information to advance the elimination of child labor.(77) The Coordination Agreement on Labor Migration between the Ministries of Labor of Costa Rica and Panama aims to strengthen dialogue on labor migration between the two countries, with an emphasis on indigenous Panamanian migrant workers, to ensure social protection of migrant workers and their families, and includes a bilateral technical committee to promote joint action to combat human trafficking, exchange information, and develop cooperative strategies and projects.(78) Although potentially a useful policy tool to combat child labor, child labor elimination and prevention strategies do not appear to have been integrated into this policy.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Direct Government Action Program for the Prevention and Eradication of Child Labor†	MITRADEL program implemented through the Institute for Training and Utilization of Human Resources that provides a network of social and economic services to child workers and children at risk of child labor. Services include provision of food and scholarships, support for sports activities, and social monitoring.(7, 79) Scholarships for schooling have been provided to approximately 5,500 children. In 2016, 1,289 children were incorporated into the program after being removed from hazardous work.(4, 80)
Prevention and Eradication of Child Labor†	SENNIAF program that identifies children engaged in the worst forms of child labor, removes them from exploitative situations, and connects them to a network of social and economic services offered by the Government.(34, 39)
National Child Labor Survey†	Committee for the Eradication of Child Labor and the Protection of Adolescent Workers survey conducted every two years by the National Institute of Statistics and Census with funding from SENNIAF and MITRADEL.(5) Most recently conducted in 2016.(4)
National Council of Private Businesses (CoNEP) Corporate Social Responsibility Program	Joint effort created by MITRADEL and the National Council of Private Businesses that involves a partnership with businesses across Panama to sign the Voluntary Agreement of Corporate Social Responsibility to prevent and eradicate child labor.(81, 82) In 2016, CoNEP and MITRADEL recognized nine companies for their efforts to prevent child labor in their supply chains.(83)
MITRADEL and <i>Fundación Telefónica</i> Cooperative Agreement (2014–2016)	MITRADEL public-private partnership with Telefónica Móviles Panamá S.A. to prevent and eliminate child labor by improving access to education and providing trainings to teachers and private employers.(7, 84)
USDOL-Funded Projects	USDOL projects that aim to eliminate child labor, including its worst forms, through research, improved monitoring and enforcement, policy development, and awareness-raising. These projects include <i>Educafuturo: Combating Child Labor</i> , a \$6.5 million, 4-year project implemented in Ecuador and Panama by Partners of the Americas; <i>Building Effective Policies Against Child Labor</i> , a \$3.5 million, 4-year project implemented in Ecuador and Panama by the ILO; and <i>Global Action Program on Child Labor Issues</i> , implemented in approximately 40 countries by the ILO. For additional information about USDOL's work, please visit our Web site .(85-88)
Prevention and Care for Child and Adolescent Victims of Sexual Violence†	SENNIAF program that identifies children engaged in commercial sexual exploitation, removes them from exploitative situations, and provides them with social services. Conducts training workshops nationwide for professionals providing direct care to child and adolescent victims of sexual violence.(89)
Network of Opportunities†	Ministry of Social Development program that provides conditional cash transfers to families in extreme poverty, conditioned on their children's participation in health and education services and the acquisition of a birth certificate. Offers training to project participants to improve income-generating opportunities.(39, 90)

† Program is funded by the Government of Panama.

Although Panama has programs that reach children in rural areas and from indigenous and Afro-Panamanian communities, the scope of these programs is insufficient, and these children remain vulnerable to the worst forms of child labor.(44, 45)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Panama (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish regulations that define the number of hours and types of activities that children between the ages of 12 and 14 can undertake as light work to ensure that they are not exposed to hazardous labor.	2009 – 2016
	Ensure that only minors age 16 and older who have received adequate, specific instruction or vocational training are permitted to perform hazardous work, and that their health, safety, and morals are fully protected.	2013 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Allocate sufficient funding for DIRETIPPAT to meet its commitments for coordination, implementation, and monitoring related to child labor.	2014 – 2016
	Increase the number of labor inspectors trained and responsible for providing enforcement of child labor laws to meet international standards and to address child labor in the informal sector and agricultural areas outside of Panama City.	2014 – 2016
	Strengthen the inspection system by conducting unannounced inspections in agricultural areas outside of Panama City.	2015 – 2016
	Clarify whether fines for child labor violations, as sanctioned in Article 125 of the Labor Code, may be applied for each affected worker.	2014 – 2016
	Publish information on the number of investigations, violations, prosecutions, and convictions related to the worst forms of child labor.	2016
Coordination	Increase coordination on efforts to address child labor, including within MITRADEL, and with social service agencies and referral mechanisms.	2016
Government Policies	Integrate child labor elimination and prevention strategies into the Coordination Agreement on Labor Migration between the Ministries of Labor of Costa Rica and Panama.	2015 – 2016
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including children from rural areas and indigenous and Afro-Panamanian communities, by expanding existing programs, including for school transportation.	2014 – 2016

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In 2016, Papua New Guinea made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government approved the Trafficking in Persons National Action Plan and finalized standard operating procedures for identifying and protecting victims of human trafficking, including children. However, children in Papua New Guinea engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Laws do not specifically define the hazardous occupations and activities prohibited for children. Inadequate resources hamper the labor inspectorate's capacity to enforce child labor laws. In addition, Papua New Guinea lacks a compulsory age for education and some children face challenges accessing school, which increases the risk of children's involvement in the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Papua New Guinea engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking.(1, 2) Table 1 provides key indicators on children's work and education in Papua New Guinea. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		78.6

Source for primary completion rate: Data from 2012, UNESCO Institute for Statistics, 2016.(3)

Data were unavailable from Understanding Children's Work Project's analysis, 2016.(4)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Working on tea, coffee, cocoa, copra, palm oil, and rubber plantations (5, 6)
Services	Domestic work (1, 5, 6)
	Street work, including vending, chopping firewood for sale, moving furniture, scavenging for scrap metal, gathering scrap food for pig feed, and begging (5-11)
	Work in markets, including unloading and carrying heavy bags of food (6, 9, 12)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, including working in bars, nightclubs, and brothels, and use in the production of pornography, each sometimes as a result of human trafficking (1, 2, 12)
	Forced domestic work (1, 2, 12)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

In Papua New Guinea, children are trafficked within the country for commercial sexual exploitation.(1, 2) Some children from rural areas are sent to live with relatives or “host” families in cities, where they may be forced to perform domestic work to pay off family debts.(1, 5, 12)

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Research found that the threat of gender-based violence prevents many girls from attending school.(12-14) Although the Government has established a free education policy, in practice many schools charge fees for books, uniforms, and other supplies.(15-18) These barriers to education make affected children vulnerable to the worst forms of child labor.

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Papua New Guinea has ratified some key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Papua New Guinea's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Article 103 of the Employment Act (19)
Minimum Age for Hazardous Work	Yes	18	Articles 54 of the <i>Lukautim Pikinini Act</i> (15)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Article 43 of the Constitution of the Independent State of Papua New Guinea; Section 208 of the Criminal Code (20, 21)
Prohibition of Child Trafficking	Yes		Section 208 of the Criminal Code (21)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 229J–229O and 229R–229T of the Criminal Code (22)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	16	Section 30 of the Defence Act (23)
Non-state Compulsory	No		
Compulsory Education Age	No		
Free Public Education	No		

* No conscription (24)

Papua New Guinea has not determined by national law or regulation the types of hazardous work prohibited for children. The Department of Labor and Industrial Relations (DLIR) has been in the process of developing a hazardous work list for several years, but did not submit the list to the cabinet for endorsement during the reporting period.(7, 25, 26)

According to the Employment Act, children ages 11 to 16 may be allowed to work under certain conditions. The minimum age of 11 for light work is not in compliance with international standards, and the law does not specify the types of activities in which light work is permitted nor the number of hours per week that this work may be undertaken.(19) Papua New Guinea also does

not have laws that prohibit using, procuring, or offering a child for illicit activities, including for the production and trafficking of drugs.(25) The law does not sufficiently protect children from commercial sexual exploitation, as the use, procuring, and offering of a child for pornographic performances is not criminally prohibited.

There is no age up to which education is compulsory in Papua New Guinea, which increases the risk of children's involvement in child labor. Although free education is not mandated by law, there is a policy that sufficiently provides for free basic education.(10, 18)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor and Industrial Relations (DLIR)	Implement and enforce child labor laws.(27)
Department of Community Development, Religion, and Sports	Enforce the <i>Lukautim Pikinini</i> Act, including provisions on child labor, including its worst forms.(27)
Royal Papua New Guinea Constabulary	Enforce laws against commercial sexual exploitation of children and the use of children in illicit activities.(27)

Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in Papua New Guinea took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$4,650,000 (6)	Unknown (26)
Number of Labor Inspectors	182 (28)	Unknown (26)
Inspectorate Authorized to Assess Penalties	Yes (27)	Yes (27)
Training for Labor Inspectors		
Initial Training for New Employees	No (6)	Unknown (26)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (6)	Unknown (26)
Number of Labor Inspections	169 (6)	Unknown (26)
Number Conducted at Worksite	169 (6)	Unknown (26)
Number Conducted by Desk Reviews	Unknown (6)	Unknown (26)
Number of Child Labor Violations Found	Unknown (6)	Unknown (26)
Number of Child Labor Violations for Which Penalties were Imposed	Unknown (6)	Unknown (26)
Number of Penalties Imposed that were Collected	Unknown (6)	Unknown (26)
Routine Inspections Conducted	Yes (6)	Unknown (26)
Routine Inspections Targeted	Unknown	Unknown (26)
Unannounced Inspections Permitted	Yes (6)	Yes (6)
Unannounced Inspections Conducted	Yes (6)	Unknown (26)
Complaint Mechanism Exists	No (6)	No
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (6)	No

Labor inspectors sometimes carry out routine inspections in hazardous workplaces or in the manufacturing sector; however, due to limited capacity, labor inspectors generally respond only to specific child labor complaints.(6, 10, 29) Inadequate resources hamper the labor inspectorate's capacity to enforce child labor laws.(25, 26)

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Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Papua New Guinea took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (6)	No (29)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (6)	Yes (30)
Number of Investigations	2 (31)	2 (29)
Number of Violations Found	3 (31)	4 (29)
Number of Prosecutions Initiated	0 (31)	2 (29)
Number of Convictions	0 (31)	0 (29)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (31)	Yes (30, 32)

In 2016, the Government endorsed Standard Operating Procedures (SOPs) to improve the identification and protection of human trafficking victims and to strengthen investigation and prosecution of human trafficking crimes. The SOPs include specific processes for handling child trafficking cases.(30, 32)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established a coordination mechanism to combat human trafficking, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Human Trafficking Committee	Coordinate efforts to combat human trafficking. Chaired by the Department of Justice and the Attorney General, with representatives from over 15 government agencies, NGOs, and international organizations.(33, 34)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Eliminate Child Labor in Papua New Guinea	Promotes Government coordination to eliminate the worst forms of child labor through more effective prevention, protection, rehabilitation, and reintegration measures and capacity building.(35)
Papua New Guinea Trafficking in Persons National Action Plan (2015-2020)†	Seeks to prevent human trafficking, protect victims, and prosecute offenders.(36) Endorsed by the National Executive Council in 2016.(30)
Tuition Fee-Free Policy	Aims to improve access to education by abolishing school fees in grades 1 through 10 and providing subsidies for students in grades 11 and 12.(10, 18)

† Policy was approved during the reporting period.

Child labor elimination and prevention strategies do not appear to have been integrated into the Universal Basic Education Plan and Vision 2050.(37, 38) Research did not find information on whether the Government implemented the National Action Plan to Eliminate Child Labor in 2016.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Urban Youth Employment Project† (2011–2016)	Government- and World Bank-funded project that provides youth with training, temporary jobs, and skill development through apprenticeship projects.(39)

† Program is funded by the Government of Papua New Guinea.

Research found no evidence that the Government carried out programs specifically designed to assist children engaged in commercial sexual exploitation or domestic work.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Papua New Guinea (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, and the Palermo Protocol on Trafficking in Persons.	2014 – 2016
	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2009 – 2016
	Ensure that the law establishes a minimum age for light work of at least 13 to comply with international standards, and ensure that the law's light work provisions are specific enough to protect children from involvement in child labor.	2015 – 2016
	Ensure that the law criminally prohibits the use, procuring, and offering of children for illicit activities, including for the production and trafficking of drugs.	2014 – 2016
	Ensure that the law criminally prohibits the use, procuring, and offering of a child for pornographic performances.	2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Establish by law an age up to which education is compulsory that extends to the minimum age for employment.	2009 – 2016
Enforcement	Publish comprehensive information on labor law enforcement, including inspectorate funding, the number of inspectors and the training they receive, the number and type of inspections conducted, the number of child labor violations found, and the number of violations for which penalties were imposed and collected.	2014 – 2016
	Establish a mechanism to receive child labor complaints.	2015 – 2016
	Strengthen the inspection system by ensuring that inspectors conduct routine or targeted inspections in addition to those that are complaint driven.	2014 – 2016
	Provide inspectors with the resources necessary to enforce labor laws and other laws that protect children from the worst forms of child labor.	2009 – 2016
	Establish a referral mechanism between labor law enforcement authorities and social services agencies to ensure that victims of child labor receive appropriate support services.	2014 – 2016
	Institutionalize training for investigators on the worst forms of child labor, including training for new labor investigators at the beginning of their employment.	2016
Coordination	Establish coordinating mechanisms to combat child labor, including in all its worst forms.	2009 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into the Universal Basic Education Plan and Vision 2050.	2013 – 2016
	Implement the National Action Plan to Eliminate Child Labor in Papua New Guinea.	2016
Social Programs	Increase access to education by instituting programs to address sexual violence against girls in schools and fully eliminating school-related fees.	2014 – 2016
	Institute programs that assist children engaged in the worst forms of child labor in all relevant sectors, especially commercial sexual exploitation and domestic work.	2010 – 2016

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In 2016, Paraguay made a significant advancement in efforts to eliminate the worst forms of child labor. The Government approved the National Strategy to Prevent Forced Labor and renewed the National Strategy for the Prevention and Eradication of Child Labor and Protection of Working Adolescents. The Government also published results from a 2015 survey on rural child labor and formalized an agreement to accelerate authorization of workplace inspection search warrants. In addition, the Government launched a project to promote decent work in the production of cotton by combatting poverty and discrimination, preventing and eradicating child labor and forced labor, formalizing employment, and promoting youth employment. However, children in Paraguay are engaged in the worst forms of child labor, including cattle raising and domestic work. The funding and reach of existing social programs and law enforcement agencies hamper the Government's ability to fully address the worst forms of child labor, particularly in rural areas.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Paraguay engage in the worst forms of child labor, including cattle raising and domestic work.(1-12) The 2011 National Survey of Child and Adolescent Activities found that 21 percent of all Paraguayan children were engaged in hazardous work.(2) The 2015 Survey of Activities of Rural Area Children and Adolescents, published in 2016, identified 384,677 children engaged in child labor in agriculture.(1) Table 1 provides key indicators on children's work and education in Paraguay.

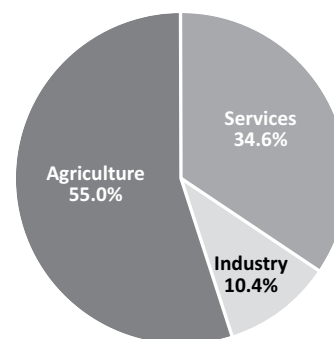
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	10.4 (72,036)
Attending School (%)	5 to 14	94.2
Combining Work and School (%)	10 to 14	9.5
Primary Completion Rate (%)		89.1

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2016.(13)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta Permanente de Hogares (EPH), 2014.(14)

Figure 1. Working Children by Sector, Ages 10-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of manioc, corn, beans, peanuts, sesame, sugarcane, tomato, lettuce, melons, sweet potato, peppers, onion, carrots, cabbage, yerba mate (stimulant plant), soy, wheat, stevia, cotton, and charcoal (1, 4, 5, 7, 8, 15-19)
	Raising poultry, pigs, cattle,† sheep, and goats and producing milk (2, 5, 7)
	Fishing, including using hooks and harpoons,† preparing bait, and cleaning fish† (1)
Industry	Construction, activities unknown, and production of bricks (2, 4, 7-9, 19)
	Limestone quarrying† and gold mining† (2, 4, 7, 8, 19)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Services	Domestic work† (2, 6-12, 20)
	Street work,† including vending, shoe shining, and begging (2, 4, 8, 9, 21)
	Garbage dump scavenging† (2, 3, 22)
Categorical Worst Forms of Child Labor‡	Debt bondage in cattle raising, dairy farms, and charcoal factories (4, 7)
	Commercial sexual exploitation and domestic servitude, each sometimes as a result of human trafficking (2-4, 6-9, 19, 23)
	Use in the production of child pornography (4, 24-27)
	Use in illicit activities, including smuggling and drug trafficking (3, 4, 8, 19, 28)
	Forced recruitment of children by non-state armed groups for use in armed conflict (4, 5, 8, 9, 19)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Criadazgo, a system whereby middle-class and wealthy families informally employ and house child domestic workers from impoverished families, is pervasive in Paraguay; the 2011 National Survey of Child and Adolescent Activities estimated 46,000 children were engaged in *criadazgo*.(2, 4, 12, 16, 19, 27) Children work alongside their parents in debt bondage on cattle ranches, dairy farms, and charcoal factories in the remote Chaco region.(4) The Paraguayan People’s Army (EPP) and the Armed Peasant Association recruit children to carry supplies and serve as lookouts or full-time combatants.(4, 5, 8, 19)

The 2011 National Survey of Child and Adolescent Activities indicated that children who speak Guaraní exclusively are more likely to be involved in child labor and have higher rates of school absence as compared to other working children; poverty is pervasive in rural Paraguay, where Guaraní is the predominant language.(2, 29) School buses or other forms of public transportation are limited in rural areas and school infrastructure is often inadequate in rural and indigenous communities. The Government has noted that girls from rural areas leave school at an earlier age than boys and estimated that more than 50 percent of children with disabilities could not attend school due to lack of access to public transportation.(4, 8, 19) Such challenges may leave these children more vulnerable to child labor. Approximately 13 percent of children engaged in child labor in agriculture do not attend school and 11.8 percent of working children ages 14 to 17 have not completed primary school.(1, 30)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Paraguay has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Paraguay’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Article 1 of Law No. 2332; Article 58 of the Childhood and Adolescence Code (31, 32)
Minimum Age for Hazardous Work	Yes	18	Article 54 of the Childhood and Adolescence Code; Article 3 of Decree No. 4951; Articles 122 and 125 of the Labor Code; Article 15 of the First Employment Law; Article 5 of Law No. 5407 on Domestic Work (31, 33-37)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 54 of the Childhood and Adolescence Code; Article 2 of Decree No. 4951; Article 15 of the First Employment Law; Articles 122, 125, and 389 of the Labor Code; Article 5 of Law No. 5407 on Domestic Work (31, 33-37)
Prohibition of Forced Labor	Yes		Articles 5-7 of the Comprehensive Law Against Trafficking in Persons; Articles 125, 129, 223, and 320 of the Penal Code; Articles 10 and 54 of the Constitution (38-41)
Prohibition of Child Trafficking	Yes		Articles 6 and 7 of the Comprehensive Law Against Trafficking in Persons; Articles 125, 129, and 223 of the Penal Code; Article 54 of the Constitution (38-41)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 135 and 223 of the Penal Code; Article 2.19 of Decree No. 4951; Article 31 of the Childhood and Adolescence Code (31, 33, 39, 41)
Prohibition of Using Children in Illicit Activities	Yes		Article 1 of Law No. 1657; Article 32 of the Childhood and Adolescence Code (31, 42)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Articles 3 and 5 of the Obligatory Military Service Law (43, 44)
State Voluntary	Yes	18	Articles 3 and 5 of the Obligatory Military Service Law (43, 44)
Non-state Compulsory	No		
Compulsory Education Age	Yes	15	Article 2 of Law No. 4088; Article 32 of the General Education Law No. 1264 (45, 46)
Free Public Education	Yes		Article 76 of the Constitution; Article 32 of the General Education Law No. 1264 (38, 45)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Employment and Social Security (MTESS)	Enforce laws related to child labor, inspect workplaces for child labor, and fine companies found in violation of labor laws. Refer cases involving criminal violation of child labor to the Public Ministry or the National Secretariat for Children and Adolescents (SNNA).(5, 7)
National Police	Maintain a special unit of 33 police officers who handle complaints regarding trafficking in persons, including children, with offices in five cities.(5, 7)
The Public Ministry (Prosecutor's Office)	Enforce criminal laws related to the worst forms of child labor by investigating and prosecuting violators and providing support to local prosecutors throughout Paraguay.(7)
SNNA	Maintain a unit dedicated to fighting child trafficking and a hotline to report cases of human trafficking and commercial sexual exploitation of children, which received 10,622 calls in 2016. Provide social services to victims referred by law enforcement agencies. (5, 7, 28, 47)
The Public Defender's Office	Maintain the Specialized Unit to Combat Human Trafficking and Sexual Exploitation of Children and Adolescents.(48)
Attorney General's Office	Investigate and prosecute cases of child labor involving human trafficking via the Anti-Trafficking in Persons Unit, composed of 3 specialized prosecutors based in Asunción and 35 assistants.(5)

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Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Ministry of Women's Affairs	Provide social services to female victims of human trafficking, half of whom are estimated to be children. House an office dedicated to combating trafficking of children staffed with five dedicated personnel.(5, 7, 28)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Paraguay took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (5)	\$1.1 million (4)
Number of Labor Inspectors	56 (5)	30 (4)
Inspectorate Authorized to Assess Penalties	No (4)	No (4)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (5)	N/A
Training on New Laws Related to Child Labor	Yes	Yes (4)
Refresher Courses Provided	Yes (5)	Yes (4)
Number of Labor Inspections	308 (49)	4,800 (4)
Number Conducted at Worksite	Unknown	4,800 (4)
Number Conducted by Desk Reviews	Unknown	0 (4)
Number of Child Labor Violations Found	7 (5)	17 (4)
Number of Child Labor Violations for Which Penalties Were Imposed	5 (5)	Unknown
Number of Penalties Imposed That Were Collected	2 (50)	Unknown
Routine Inspections Conducted	Yes (5)	Yes (4)
Routine Inspections Targeted	Yes (5)	Yes (4)
Unannounced Inspections Permitted	Yes (5)	Yes (4)
Unannounced Inspections Conducted	Yes (5)	Yes (4)
Complaint Mechanism Exists	Yes (5)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (5)	Yes (4)

As part of the Ministry of Labor, Employment and Social Security's (MTESS) efforts to professionalize the labor inspectorate, all labor inspectors must now meet the minimum qualification of a university degree. During 2016, the MTESS reassigned some of the incumbent labor inspectors to other functions including training new staff, providing labor complaint customer service, and organizing inspection strategy.(4) The number of labor inspectors is insufficient for the size of Paraguay's workforce, which includes over 3 million workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Paraguay should employ roughly 219 inspectors.(51-53) Government agencies, international organizations, NGOs, and labor organizations agree that inadequate funding and number of labor inspectors hamper the labor inspectorate's capacity to enforce child labor laws, especially in the informal sector.(4, 5, 16) The inspectorate is particularly limited by the lack of dedicated vehicles or travel funds.(4, 5, 16)

An additional constraint to labor law enforcement is the legal requirement that the Public Ministry and the Ministry of Labor, Employment and Social Security (MTESS) secure a search warrant from a judge if an employer does not permit an inspector to enter a workplace and conduct an inspection. There is a lack of efficient and timely cooperation by judicial authorities in granting workplace inspection search warrants, as the system is paper-based and orders routinely take more than 3 months to arrive.(4, 5, 7, 16, 54) During the reporting period, the MTESS formalized an agreement with judicial authorities, which will go into effect in 2017, to accelerate the authorization of search warrants.(4)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Paraguay took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (55)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Yes (55)	Yes (4)
Refresher Courses Provided	Yes (55)	Yes (4)
Number of Investigations	68 (55)	77 (4)
Number of Violations Found	Unknown	71 (4)
Number of Prosecutions Initiated	60 (55)	77 (4)
Number of Convictions	35 (55)	20 (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (4)	No (4)

In November 2016, the Attorney General's office rescued 35 indigenous Ache victims, including 7 children, from forced labor producing charcoal on a farm in the Chaco.(4, 17, 47) During the reporting period, a judge in the city of Horqueta placed a 17 year old girl on house arrest for possession of a fire arm and EPP communications. (56) Government agencies, international organizations, NGOs, and labor organizations have observed that more specialized prosecutors are needed to support local prosecutors nationwide and to increase the Public Ministry's ability to investigate and prosecute child labor cases involving human trafficking.(4, 5, 16) The Special Directorate to Fight the Trafficking of Persons and Commercial Sexual Exploitation of Children has insufficient resources, including vehicles, fuel, and logistical support, to carry out investigations, particularly in remote areas, such as the Chaco, where the worst forms of child labor, human trafficking, and debt bondage are most prevalent. Overall, Paraguay's law enforcement agencies lack resources, including staff and training, to sufficiently identify, investigate, and prosecute cases of the worst forms of child labor; as a result, the number of convictions of crimes related to the worst forms of child labor is insufficient and existing penalties are inadequate deterrents.(4, 5, 7, 16, 57)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Commission to Prevent and Eradicate the Exploitation of Children (CONAETI)	Lead government efforts against child labor and include representatives from the MTESS, the Ministry of Justice and Human Rights, the Ministry of Women's Affairs, the SNNA, and other government agencies, as well as labor union representatives, industry associations, and NGOs.(7, 58)
Inter-Institutional Working Group on Preventing and Combating Human Trafficking	Coordinate interagency efforts to combat all forms of trafficking in persons, including child trafficking. Headed by the Ministry of Foreign Relations.(7, 20, 58)
Defense Councils for the Rights of Children and Adolescents	Coordinate efforts to protect children's rights at the municipal level, including by maintaining a registry of children involved in economic activities and coordinating with vocational training programs for adolescents.(7, 31)

In 2016, the MTESS met regularly with the Ministries of Education and Health, however, coordination between these ministries remains insufficient to combat the worst forms of child labor.(4-7, 59)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Strategy for the Prevention and Eradication of Child Labor and Protection of Working Adolescents (2016–2020)†	Aims to raise awareness and strengthen enforcement of child labor laws. Provides child laborers access to free, quality education and offers livelihood alternatives for their families.(4, 7, 58)
National Strategy to Prevent Forced Labor†	Aims to prevent and eradicate forced labor and care for victims.(60)

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Table 9. Key Policies Related to Child Labor (cont)

Policy	Description
National Plan for Development (2014–2030)	Aims to reduce social exclusion and poverty, including by preventing and eliminating child labor.(61)
National Plan on Human Rights	Promotes human rights, including the prevention and elimination of child labor and forced labor.(62)
Inter-Institutional Agreement on Government Procurement	Prohibits Government procurement of goods or services involving child labor. Established between SNNA and the National Bureau for Public Contracts.(63)

† Policy was approved during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
USDOL-Funded Projects	USDOL projects that aim to eliminate child labor, including its worst forms, through research, improved monitoring and enforcement, policy development, and awareness-raising. These projects include Country Level Engagement and Assistance to Reduce Child Labor (CLEAR) , implemented by the ILO in 11 countries; Global Research on Child Labor Measurement and Policy Development , implemented by the ILO in 10 countries; Global Action Program on Child Labor Issues , implemented by the ILO in approximately 40 countries; and Paraguay Okakuaa (Paraguay Progresses) , \$6 million project implemented by Partners of the Americas.(64-66) For additional information about USDOL's work, please visit our Web site .
Embrace Program (<i>Programa Abrazo</i>)†	SNNA program to assist children engaged in exploitative work by providing them and their families with health and education services, food deliveries, and cash transfers conditioned on children's school attendance and withdrawal from work.(58) Works closely with NGO Fortalecer in the implementation of ILO-IPEC programs and with the Sugarcane Growers' Association, Ministry of Education and Culture, and CONAETI to set up programs tailored to at-risk children who work during the sugarcane harvesting season.(7)
Combating Commercial Sexual Exploitation of Girls, Boys and Adolescents in Trips and Tourism†	National campaign of the National Secretariat for Tourism and the Association of Female Tourism Executives to raise awareness on protecting children from commercial sexual exploitation.(6)
Promotion of Decent Work in the Cotton Supply Chain (2016-2018)*	Government of Brazil-funded project implemented by the ILO to promote decent work in cotton through exchanges on combatting poverty and discrimination, preventing and eradicating child labor and forced labor, formalizing employment, and promoting youth employment and equality.(67, 68)
Well-Being Conditional Cash Transfer Program (<i>Tekoporã</i>)†	Government-administered program through the Secretariat for Social Action. Provides conditional cash transfers to families in rural communities.(5) Incorporates aspects of the Embrace Program, such as the family monitoring methodology, to ensure beneficiary children do not engage in child labor.(7)

* Program was launched during the reporting period.

† Program is funded by the Government of Paraguay.

The 2012 Law Against Trafficking in Persons requires the Ministry of Women's Affairs to provide compensation and financial assistance to victims of sexual and labor trafficking, including minors. However, the Government has not allocated funding for the Ministry of Women's Affairs to implement such a program, and most victims did not have access to comprehensive care.(5, 16, 40, 69) Although Paraguay has programs that target child labor, the scope and funding level of these programs is insufficient to fully address the extent of the problem, and programs are limited by the absence of government education and health services in rural areas. Additional programs are needed to reach the large numbers of working children, especially in agriculture, including cattle herding, and domestic work.(5, 16) The Government lacks appropriate programs and social services for the disarmament, demobilization, and reintegration of children associated with armed groups. (5, 59)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Paraguay (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
Enforcement	Strengthen the labor inspectorate by permitting inspectors to determine and assess penalties for child labor violations.	2016
	Make information on the number of penalties imposed and collected for child labor violations publicly available.	2016
	Increase the number of labor inspectors trained and responsible for providing enforcement of child labor laws to meet international standards and increase the funding and resources available to the labor inspectorate, including dedicated vehicles and travel funds.	2009 – 2016
	Build enforcement capacity to address children's work in the informal sector.	2014 – 2016
	Implement the agreement to accelerate authorization of workplace inspection search warrants to improve the cooperation mechanisms among judicial authorities and labor enforcement officials.	2013 – 2016
	Establish a referral mechanism between criminal authorities and social services to ensure victims of the worst forms of child labor receive appropriate services.	2016
	Ensure children associated with armed groups are referred to appropriate rehabilitation and reintegration programs.	2015 – 2016
	Increase efforts to prosecute crimes related to the exploitation of children in the worst forms of child labor, including by hiring and training more specialized prosecutors; providing resources, such as vehicles and fuel, to enable investigations in remote areas, such as the Chaco; developing coordination and referral mechanisms for government agencies to refer relevant cases to the Public Ministry; and increasing penalties for crimes.	2012 – 2016
Coordination	Strengthen interagency coordinating mechanisms, with particular focus on the communication between the Ministry of Education and the Ministry of Health, to combat child labor, including its worst forms.	2013 – 2016
Social Programs	Increase access to education for children vulnerable to child labor, particularly children living in rural and indigenous communities, including in the Chaco, and children with disabilities.	2014 – 2016
	Further expand government programs to assist more families and children affected by child labor, including in agriculture and domestic work.	2010 – 2016
	Implement disarmament, demobilization, and reintegration programs for children associated with armed groups and ensure these children receive sufficient rehabilitation services.	2015 – 2016

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- economies in transition) have characteristics that could place them in more than one category; however, for purposes of analysis, the groupings have been made mutually exclusive. The list of the least developed countries is decided upon by the United Nations Economic and Social Council and, ultimately, by the General Assembly, on the basis of recommendations made by the Committee for Development Policy. The basic criteria for inclusion require that certain thresholds be met with regard to per capita GNI, a human assets index and an economic vulnerability index. For the purposes of the Findings on the Worst Forms of Child Labor Report, “developed economies” equate to the ILO’s classification of “industrial market economies; “economies in transition” to “transition economies,” “developing countries” to “industrializing economies, and “the least developed countries” equates to “less developed countries.” For countries that appear on both “developing countries” and “least developed countries” lists, they will be considered “least developed countries” for the purpose of calculating a “sufficient number” of labor inspectors.
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Peru

SIGNIFICANT ADVANCEMENT

In 2016, Peru made a significant advancement in efforts to eliminate the worst forms of child labor. The Government published results from the 2015 National Child Labor Survey and signed agreements with two universities to develop joint activities under the Responsible Peru program to prevent and eradicate child labor. The National Labor Inspection Superintendency opened a new inspection office in Arequipa and adopted new labor protocols for forced labor and child labor inspections. However, children in Peru engage in the worst forms of child labor, including in mining and in commercial sexual exploitation, sometimes as a result of human trafficking. Labor law enforcement agencies in Peru lack sufficient training and inspectors to adequately combat child labor. Moreover, Peruvian law allows adolescents to engage in night work in some circumstances, and contradictions in the law may allow adolescents to work in mining and commercial fishing, despite the designation of both activities as hazardous.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Peru engage in the worst forms of child labor, including in mining and in commercial sexual exploitation, sometimes as a result of human trafficking.(1-17) The 2015 National Child Labor Survey, published in 2016, identified 1,619,200 children, ages 5 to 17, engaged in child labor in Peru. Rates of child labor were higher in the sierra and jungle regions than in the coastal region and also higher in rural areas than in urban areas.(18) Table 1 provides key indicators on children’s work and education in Peru.

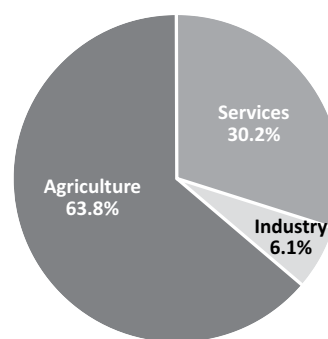
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	21.8 (1,261,484)
Attending School (%)	5 to 14	97.6
Combining Work and School (%)	7 to 14	25.0
Primary Completion Rate (%)		99.4

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(19)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Encuesta de Trabajo Infantil (ETI), 2015.(20)

Figure 1. Working Children by Sector, Ages 10-14



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of Brazil nuts/chestnuts (2, 10, 17)
	Planting and harvesting avocados, barley, beans, cocoa, coffee, corn, grass, passion fruit, pineapples, plantains, potatoes, rocoto chili peppers, and yucca (21)
	Transplanting and harvesting rice (8, 14, 17, 22-31)
	Herding and caring for farm animals† (32)
	Fishing, † including deep sea fishing, † organizing tools, throwing fishing lines and nets, † unloading ships, harvesting crabs and shrimp eggs, and cleaning shrimp and prawns for packaging† (23, 33)
	Logging† timber and clearing forestland for mining, including cutting down and burning trees (1)
Industry	Mining, † including for silver and gold (1, 2, 10, 14-17)
	Construction and production of bricks† and fireworks† (2, 10, 17, 18)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Services	Street work,† including vending, begging, shoe shining, carrying loads, selling in kiosks and markets, collecting fares on public buses,† and washing cars (2, 8, 18, 23, 32, 34, 35)
	Treating leather and working on shoes (18)
	Repairing motor vehicles† (1)
	Garbage scavenging† and battery recycling (2, 15)
	Domestic work† and cleaning offices and hotels (18)
Categorical Worst Forms of Child Labor‡	Forced labor in mining, including gold mining (1, 12)
	Forced labor in logging timber, street vending, and begging (1-3, 5, 8, 9, 12, 34)
	Forced domestic work, sometimes as a result of human trafficking (8, 12, 34)
	Commercial sexual exploitation, including in bars, brothels, and mining camps, each sometimes as a result of human trafficking (1-13, 17, 36)
	Growing and processing coca (stimulant plant), sometimes as a result of human trafficking, and transporting drugs (2, 3, 5-8, 10, 12, 17, 34)
	Counterfeiting U.S. dollars, smuggling gas and gasoline (17, 23, 24)
	Forced recruitment of children by non-state armed groups for use in armed conflict (12, 17)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Children in Peru work in informal and small-scale mining, particularly for gold, sometimes in situations of forced labor, and are exposed to hazards, including wall and mine collapses, landslides, explosives accidents, and harmful gases.(1, 10, 12, 14-16, 23, 37, 38) Remnants of the Shining Path terrorist group use children in combat, domestic servitude, and drug trafficking.(12, 17)

Students ages 17 and 18 with an indigenous first language had a 48.7 percent secondary school completion rate in 2015, compared to a 71.4 percent secondary school completion rate among students whose first language is Spanish. Only 49.5 percent of girls ages 17 and 18 in rural areas completed secondary school in 2015, as opposed to 80.1 percent of girls the same age in urban areas.(39)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Peru has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Peru’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Article 51 of the Child and Adolescent Code (40)
Minimum Age for Hazardous Work	No	18	Article 58 of the Child and Adolescent Code (41)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Sections A and B of Supreme Decree No. 003-2010-MIMDES; Article 58 of the Child and Adolescent Code (41, 42)
Prohibition of Forced Labor	Yes		Articles 2 and 23 of the Constitution; Article 4 of the Child and Adolescent Code; Articles 128, 129, 153, 168, and 182 of the Penal Code (41, 43-46)
Prohibition of Child Trafficking	Yes		Article 4 of the Child and Adolescent Code; Articles 153 and 182 of the Penal Code (41, 43-45)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 4 of the Child and Adolescent Code; Articles 153 and 179–183 of the Penal Code (41, 45, 47)
Prohibition of Using Children in Illicit Activities	Yes		Articles 128 and 297 of the Penal Code (44, 48, 49)
Minimum Age for Compulsory Military Recruitment			
State Compulsory	N/A		
State Voluntary	Yes	18	Articles 2, 6, and 42 of the Military Service Law (50)
Non-state Compulsory	No		
Compulsory Education Age	Yes	17 [‡]	Article 17 of the Constitution; Articles 12 and 36 of the General Education Law; Article 61 of Supreme Decree No. 011-2012-ED (8, 46, 51-53)
Free Public Education	Yes		Article 17 of the Constitution; Article 4 of the General Education Law (46, 51)

[‡] Age calculated based on available information (8, 46, 51-53)

The Child and Adolescent Code does not fully protect adolescents ages 12 to 18 engaged in night work and hazardous work. Article 57 prohibits children under age 12 and adolescents from working between the hours of 7 p.m. and 7 a.m., with the exception that a judge may authorize adolescents age 15 and older to engage in night work not exceeding 4 hours a day. In addition, although Section A of Supreme Decree No. 003-2010-MIMDES designates fishing and mining as work that is hazardous by nature, Article 51 of the Child and Adolescent Code allows adolescents to perform work in mining at age 16 and in commercial fishing at age 17, without provisions to ensure that their health, safety, and morals are fully protected or that they receive specific instruction or training in these activities.(40, 42)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Promotion of Employment (MTPE)	Set national policies and guidelines for labor law enforcement, including for inspections. Responsible for supporting the National Labor Inspection Superintendency (SUNAFIL).(54) Maintain an online reporting system to receive complaints of labor law violations.(55)
SUNAFIL	Enforce labor laws in 10 regions.(8, 56) Conduct labor inspections of employers who have more than 10 registered workers.(57) Maintain a special inspection group comprising 15 inspectors who conduct inspections targeting forced labor and child labor violations, and train other inspectors on these topics.(23, 58) Address possible child labor violations during inspections and refer cases of child labor to the Ministry of Women and Vulnerable Populations (MIMP) and the Public Ministry, as appropriate.(59)
Regional Directorates for Labor	Inspect employers with 10 or fewer registered workers and conduct labor inspections in regions without a SUNAFIL office. Independent from the MTPE.(12, 60)
Ombudsman’s Department for Children and Adolescents	Coordinate government policies and programs that target children and adolescents. Assist the MTPE to investigate child labor complaints.(8)

Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
National Police	Enforce criminal laws regarding child labor and child exploitation, and maintain a human trafficking investigation unit to investigate cases of child trafficking for labor and sexual exploitation.(8, 61) Coordinate with the Public Ministry and MIMP to place rescued minors with family members or state social services.(62)
Public Ministry	Coordinate with the MTPE, SUNAFIL, and the National Police to investigate and prosecute cases of criminal violations of child labor laws. Maintain a specialized human trafficking prosecutorial unit in the Public Prosecutor's Office.(63)
Ministry of the Interior (MININTER)	Investigate child trafficking cases.(8) Maintain a hotline to receive reports of human trafficking. Provide victims and the general public with information on human trafficking, refer cases of human trafficking to the relevant government offices, and coordinate services for victims.(62, 64)
MIMP Children's Bureau	Design, promote, coordinate, monitor, and evaluate government policies and programs for the well-being of children.(8, 65) Provide social services to children found in the worst forms of child labor and refer cases to the MTPE.(58, 66)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Peru took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$24,282,131.66 (8)	\$23,431,454.01 (12)
Number of Labor Inspectors	482 (8)	480 (60)
Inspectorate Authorized to Assess Penalties	Yes (8)	Yes (60)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to Child Labor	Unknown	Unknown
Refresher Courses Provided	Unknown	Yes (60)
Number of Labor Inspections	35,813 (67)	Unknown
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	85 (8)	132 (60)
Number of Child Labor Violations for Which Penalties Were Imposed	11 (8)	Unknown
Number of Penalties Imposed That Were Collected	0 (8)	Unknown
Routine Inspections Conducted	Yes (8)	Yes (12)
Routine Inspections Targeted	Yes (8)	Yes (12)
Unannounced Inspections Permitted	Yes (8)	Yes (12)
Unannounced Inspections Conducted	Yes (8)	Yes (60)
Complaint Mechanism Exists	Yes (55)	Yes (60)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (12)

In 2016, the National Labor Inspection Superintendency (SUNAFIL) opened a new inspection office in Arequipa and was operational in 10 out of 25 regions. SUNAFIL adopted new labor protocols on forced labor and child labor inspections, and the Ministry of Labor and Promotion of Employment (MTPE) approved an operational definition of child labor using indicators from the 2015 National Household Survey.(12, 60) During the reporting period, SUNAFIL and the MTPE conducted 882 child labor inspections.(12) However, inspectors lack sufficient training and resources, such as transportation and fuel, particularly in the informal sector in which the majority of child labor occurs in Peru.(8, 12, 34, 37, 61, 68) The number of labor inspectors is insufficient for the size of Peru's workforce, which includes over 17 million workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Peru should employ roughly 1,141 inspectors.(69-71) Many regional labor inspectorates are understaffed and underfunded, and the Government continued to report an insufficient number of labor inspectors throughout the country.(12) NGOs estimated that the labor authority collected only 10 percent of imposed fines, reducing their effectiveness to deter child labor violations.(5, 8)

Peru

SIGNIFICANT ADVANCEMENT

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Peru took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Unknown
Refresher Courses Provided	Yes (63)	Unknown
Number of Investigations	359 (72)	764 (36)
Number of Violations Found	Unknown	281 (36)
Number of Prosecutions Initiated	Unknown (8)	Unknown
Number of Convictions	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (12)

In 2016, the human trafficking investigation unit of the National Police employed 143 officers, an increase from 110 in 2015.(12) NGOs and the MTPE noted that investigators did not have sufficient funding or resources to carry out investigations and that training for MTPE investigators was insufficient and failed to strengthen MTPE investigative capacity.(8, 12) In September, a five-judge panel of the Permanent Chamber of the Supreme Court absolved a bar owner who employed a 14-year-old girl to serve men drinks after determining that the employer was unaware that the girl was also subjected to commercial sexual exploitation in the bar. The panel did not penalize the owner for employing a minor in a bar, although this is prohibited by Section A of Supreme Decree No. 003-2010-MIMDES.(17, 42)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Commission for the Prevention and Eradication of Child Labor (CPETI)	Implement the National Strategy for the Prevention and Eradication of Child Labor.(55) Propose public policies and coordinate, evaluate, and monitor government actions to combat child labor. Maintain subcommittees, including on informal mining, child labor in indigenous villages, and project evaluation. (8) Led by the MTPE, comprises representatives from 17 government agencies, including MININTER; the ministries of Education and Justice; the Peruvian National Police; and business associations, unions, and NGOs.(8, 34)
Regional Commissions for the Prevention and Eradication of Child Labor	Manage and implement regional public policy for the prevention and eradication of child labor. Present in all 25 regions of Peru.(60)
National Commission Against Forced Labor	Coordinate government efforts to combat forced labor, including conducting research on forced labor, conducting awareness-raising campaigns, developing legislation, and strengthening Peru's institutional capacity to address forced labor. Led by the MTPE, with participation of eight additional government ministries.(61, 62) Met infrequently throughout 2015 and 2016.(8, 12, 55)
Permanent Multi-Sectoral Commission on Illegal Mining	Coordinate government efforts to address illegal mining by developing programs to eradicate child labor and commercial sexual exploitation of children in mining areas. Led by the Prime Minister's Office, includes representatives of regional governments and six national government agencies, including the Ministry of Energy and Mines and MININTER.(73)
Multi-Sector Commission Against Trafficking in Persons	Lead and coordinate government efforts to combat human trafficking by designing, recommending, monitoring, and implementing policies to combat human trafficking, including of children. Chaired by MININTER, comprises 12 government agencies, including the MTPE, MIMP, and the ministries of Justice, Education, and Health.(61) Established in March 2016 to institutionalize the previous committee against human trafficking.(36)

In 2016, law enforcement agencies, including SUNAFIL, the MTPE, and the National Police, continued to coordinate efforts to curtail child labor in the rice plantations of the Tumbes region. However, an overall lack of interagency coordination in Peru limits the collection and sharing of information to address child labor.(12) In addition, some Regional Commissions for the Prevention

and Eradication of Child Labor have not fulfilled their mandate to create action plans to combat child labor, while others have action plans but have failed to provide the necessary funding to carry them out.(59, 63)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Strategy for the Prevention and Eradication of Child Labor (2012–2021)	Aims to eliminate the worst forms of child labor by improving livelihoods of low-income families, educational opportunities, and working conditions for adolescents; raising awareness of child labor; and increasing child labor law enforcement.(32, 60, 66) Also seeks to improve the quality of child labor data in Peru.(32)
A Peru Without Child Labor	Aims to prevent and eradicate child labor through a partnership between the Government and a network of private businesses committed to supporting the National Strategy.(60, 66, 74)
National Action Plan for Children and Adolescents (2012–2021)	Establishes a comprehensive set of government policies for children and adolescents to eradicate the worst forms of child labor.(60-62, 66)
Second National Plan to Combat Forced Labor (2013–2017)	Establishes policies and priorities for combating forced labor to reduce children’s vulnerability to becoming engaged in forced labor.(38, 60)
Intersectoral Protocol Against Forced Labor	Outlines the Government’s role in combating forced labor and provides for the housing, legal defense, and educational reintegration of children and adolescent victims of forced labor. Monitored by the National Commission Against Forced Labor.(5, 60, 75)
National Policy Against Trafficking in Persons	Aims to prevent and reduce human trafficking by addressing root causes, prosecuting perpetrators, assisting victims, and strengthening programs for vulnerable populations, including child laborers.(8, 55, 60, 76)

In 2016, the Government of Peru signed an agreement with the Peruvian Soccer Federation to promote child labor prevention activities in Lima and continued to implement the National Plan for Documentation through interagency efforts to help remote indigenous communities register for national identity documents and to check minors for national identity documents or parental consent to travel in regions that experience high levels of human trafficking and child labor.(36, 77) Although potentially a useful policy tool, the Second National Plan to Combat Forced Labor for 2013–2017 still does not have funding for its implementation.(12)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
USDOL-Funded Projects	USDOL projects that aim to eliminate child labor, including its worst forms, through research, improved monitoring and enforcement, policy development, and awareness-raising. These projects include Global Research on Child Labor Measurement and Policy Development , implemented in 10 countries by the ILO; Proyecto Semilla (Seed Project): Combating Exploitative Rural Child Labor in Peru , \$16 million, 7-year project implemented by <i>Desarrollo y Autogestión</i> ; Consolidating and Disseminating Efforts to Combat Forced Labor in Brazil and Peru , \$6 million, 5-year project implemented by the ILO; From Protocol to Practice: A Bridge to Global Action on Forced Labor (The Bridge Project) , global project implemented by the ILO. For additional information about USDOL’s work, please visit our Web site .(78-81)
Responsible Peru†	MTPE program to create formal youth employment and strengthen corporate social responsibility.(8) In 2016, the MTPE signed agreements with two universities to develop joint activities to prevent and eradicate child labor.(82)
Huánuco Project†	Improves school retention and attendance rates among child laborers in rural areas. In conjunction with the Together Program, assists approximately 4,000 children and 3,200 families by providing cash transfers, education, and livelihood services.(32, 58, 60, 62, 63)
Carabayllo Project†	Provides scholarships, education assistance, psychological help, and other services to 1,000 families and 1,500 children to reduce urban child labor, especially in garbage dumps.(32, 58, 60, 62, 63)
Child Labor Record System (2015–2017)	\$230,243 Government of Canada-funded, 2-year project implemented by the ILO to create an integrated child labor identification and registration system.(60, 83)

Table 10. Key Social Programs to Address Child Labor (cont)

Program	Description
Learn Program (<i>Yachay</i>)†	MIMP program to increase protection and access to social services for children subjected to street work, begging, and commercial sexual exploitation.(84)
Street Educators (<i>Educadores de Calle</i>)†	MIMP program under <i>Yachay</i> provides counseling and training to children engaged in begging and street work in 20 cities throughout Peru.(8, 85) Connects working children and their families to educational and social services to withdraw them from exploitative work and improve family welfare.(36, 59, 85)
Together Program (<i>Juntos</i>)†	Ministry of Social Development program, provides cash transfers to approximately 650,000 low-income households in 15 of the country's 25 regions.(55, 86, 87)

† Program is funded by the Government of Peru.

Although Peru has programs that reach children who work in agriculture in rural areas, the scope of these programs is still insufficient to fully address the large number of children that perform dangerous tasks in agriculture. Peru also lacks targeted programs to assist children who are subjected to commercial sexual exploitation and children who work in mining, logging, and domestic work.(12)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Peru (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the minimum age for work in fishing and mining and for night work is 18 or that adolescents ages 16 and 17 receive adequate, specific instruction or training and that their health, safety, and morals are fully protected.	2014 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
Enforcement	Publish information on the number of labor inspections conducted at worksites and by desk review; about the training system for labor inspectors and criminal investigators, including details on training provided to inspectors and investigators, and training provided on new laws related to child labor; the number of child labor violations for which penalties were imposed and collected; and the number of prosecutions initiated and convictions achieved related to the worst forms of child labor.	2015 – 2016
	Increase the level of funding allocated to the MTPE, SUNAFIL, and regional labor inspectorates for staff, training, and resources to help ensure effective enforcement of child labor laws, particularly in the informal sector and regions with high rates of child labor.	2009 – 2016
	Increase the collection rate of fines imposed for child labor law violations, especially to deter future violations.	2015 – 2016
	Increase the level of funding and the resources allocated for criminal law enforcement related to the worst forms of child labor, including for increased training on the worst forms of child labor for criminal investigators.	2015 – 2016
	Conduct criminal investigations in bars where minors serve alcohol or are subjected to commercial sexual exploitation, and ensure that penalties are properly enforced.	2016
Coordination	Strengthen coordination and information-sharing mechanisms among government agencies responsible for responding to child labor issues.	2012 – 2016
	Ensure that regional CPETI commissions develop action plans to combat child labor and allocate sufficient funding to implement these plans.	2010 – 2016
Government Policies	Allocate sufficient funding to fully implement the Second National Plan to Combat Forced Labor.	2013 – 2016
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, in particular, in indigenous communities and rural areas, including by expanding existing bilingual education programs.	2014 – 2016
	Expand social programs to reach a greater number of children that perform dangerous tasks in agriculture, and initiate social programs to address child commercial sexual exploitation, child labor in mining, child labor in logging, and child domestic work.	2009 – 2016

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Philippines

SIGNIFICANT ADVANCEMENT

In 2016, the Philippines made a significant advancement in efforts to eliminate the worst forms of child labor. The Government released a revised and expanded list of hazardous occupations and activities prohibited for children, and passed the Children’s Emergency Relief and Protection Act, which increased measures to monitor and prevent child trafficking and child labor, including its worst forms, during national disasters. The Government also established the Internet Crimes Against Children office under the Anti-Trafficking in Persons Division to combat the Internet-facilitated commercial sexual exploitation of children. In addition, the Government updated the Philippine Program against Child Labor, and published the Revised Rules on Labor Laws Compliance System, which prioritizes establishments and workplaces that employ children for joint labor inspections. However, children in the Philippines perform dangerous tasks in the production of sugarcane. Children also engage in the worst forms of child labor, including in forced domestic work and commercial sexual exploitation. Despite the existence of strong mechanisms to respond to cases of child labor, enforcement of child labor laws remains challenging due to the limited number of inspectors, lack of resources for inspections, and inspectors’ inability to enter private homes.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Philippines engage in the worst forms of child labor, including in forced domestic work and commercial sexual exploitation. Children also engage in the production of sugarcane, an industry that is considered dangerous for children in the Philippines.(1-8) The 2011 National Survey on Children indicated that 3.2 million children aged 5 to 17 years old engage in child labor, of which approximately 3 million work in hazardous labor.(9) Table 1 provides key indicators on children’s work and education in the Philippines.

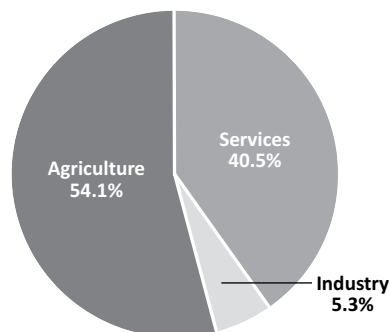
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	7.5 (1,549,677)
Attending School (%)	5 to 14	93.7
Combining Work and School (%)	7 to 14	7.8
Primary Completion Rate (%)		101.0

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2016.(10)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Survey on Children, 2011.(11)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of sugarcane, including growing, weeding, harvesting,† cutting,† and carrying sugarcane bundles† (1, 3-6, 12, 13)
	Growing bananas, coconuts, corn, rice, rubber, and tobacco (3, 4, 13, 14)
	Hog farming (4, 13)
	Production of palm oil, including harvesting,† hauling,† and loading palm oil fruits (2-4)
	Deep-sea fishing† (4, 15, 16)
Industry	Mining† and quarrying†, including gold and nickel extraction (1, 3, 16-20)
	Manufacturing pyrotechnics† (12, 16, 21, 22)
	Construction,† activities unknown (15, 23)
	Production of fashion accessories (22)
Services	Child domestic work (1, 13, 24-27)
	Street work, including scavenging, selling flowers, and begging (6, 12, 15, 28)
	Scavenging in dumpsites† and in rivers (12, 16, 29)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (8, 12, 26, 30-32)
	Forced labor, including domestic work, sometimes as a result of human trafficking (7, 8, 26, 33)
	Forced recruitment of children by non-state armed groups for use in armed conflict (34-36)
	Forced begging (32, 37, 38)
	Use in illicit activities, including in the trafficking of drugs (32, 37, 39)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Children, primarily girls, are trafficked domestically from rural communities to urban centers and tourist destinations for the purpose of domestic work and commercial sexual exploitation.(26, 37) In addition, children are coerced into performing sex acts for live Internet broadcast to paying foreigners and local Filipinos, which usually take place in small internet cafes, private homes, or windowless dungeon-like buildings commonly known as “cybersex dens.”(8, 37, 40-43) Research indicates that the Philippines is the top global Internet source of commercial sexual exploitation of children in which exploiters pay between \$20 to \$150 for a live “sex show.”(44-46)


Many children work as domestic workers, or *kasambahays*, and are particularly vulnerable to forced labor.(24, 37, 47) Child domestic workers often live and work in the private homes of their employers, where they are expected to work long hours. These children may have limited access to education, and may be subjected to sexual, verbal, and physical abuse.(7, 26, 47, 48)

Child soldiering remains a concern among non-government militias and terrorist organizations, predominately in the southern region of Mindanao.(8, 37, 49) In 2016, the Moro Islamic Liberation Front (MILF) began implementing its four-step process of identifying and ending the recruitment and enlistment of children within the Bangsamoro Islamic Armed Forces as part of the UN-MILF Action Plan.(50, 51) However, limited evidence suggests that the MILF and the New People’s Army continue to use children to perform chores such as cooking and to fight; in one UN-verified incident, 15 children were used as human shields by Bangsamoro Islamic Freedom Fighters.(36, 37, 52, 53)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Philippines has ratified all key international conventions concerning child labor (Table 3).



Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓

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Table 3. Ratification of International Conventions on Child Labor (cont)

Convention	Ratification
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in the Philippines's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 139 of the Labor Code; Section 16 of the Act Instituting Policies for the Protection and Welfare of Domestic Workers (54, 55)
Minimum Age for Hazardous Work	Yes	18	Article 139 of the Labor Code (55)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Department Order 149 on Guidelines in Assessing and Determining Hazardous Work in the Employment of Persons Below 18 Years of Age; Sections 12-D and 16 of the Special Protection of Children Against Abuse, Exploitation, and Discrimination Act (56, 57)
Prohibition of Forced Labor	Yes		Sections 4-5 of the Expanded Anti-Trafficking in Persons Act; Sections 12-D and 16 of the Special Protection of Children Against Abuse, Exploitation, and Discrimination Act (56, 58)
Prohibition of Child Trafficking	Yes		Sections 12-D and 16 of the Special Protection of Children Against Abuse, Exploitation, and Discrimination Act; Sections 4-5 of the Expanded Anti-Trafficking in Persons Act; (56, 58)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 12-D and 16 of the Special Protection of Children Against Abuse, Exploitation, and Discrimination Act; Section 4 of the Anti-Child Pornography Act; Section 4 of the Cybercrime Prevention Act (56, 59, 60)
Prohibition of Using Children in Illicit Activities	Yes		Sections 12-D and 16 of the Special Protection of Children Against Abuse, Exploitation, and Discrimination Act; Sections 5 and 8 of the Comprehensive Dangerous Drugs Act (56, 61)
Minimum Age for Military Recruitment			
State Compulsory	Yes*	18	Section 14 in the Providing for the Development, Administration, Organization, Training and Maintenance and Utilization of the Citizen Armed Forces of the Philippines, and for Other Purposes Act (62)
State Voluntary	Yes	18	Section 12 in the Providing for the Development, Administration, Organization, Training and Maintenance and Utilization of the Citizen Armed Forces of the Philippines, and for Other Purposes Act (62)
Non-state Compulsory	Yes	18	Sections 12-D and 16 in the Special Protection of Children Against Abuse, Exploitation and Discrimination Act (56)
Compulsory Education Age	Yes	18 [‡]	Section 4 of the Enhanced Basic Education Act (16, 63)
Free Public Education	Yes		Section 2 of the Philippine Constitution (64)

* No conscription (65)

‡ Age calculated based on available information

In 2016, the Department of Labor and Employment (DOLE) released a revised and expanded list of hazardous occupations and activities prohibited for children and Guidelines for the Employment of Migratory Sugarcane Workers, which prohibit

the use of children on sugarcane fields.(37, 42, 57, 66) In addition, the Government passed the Children’s Emergency Relief and Protection Act in May 2016, in which the Philippine National Police, the Department of Social Welfare and Development, and the Armed Forces of the Philippines will act as operating units and local councils in areas affected by national disasters and calamities and monitor and prevent child trafficking and child labor, including its worst forms.(37, 42, 67, 68)

In 2016, the Philippine Congress introduced House Bill No. 002 that seeks to lower the age of criminal responsibility from 15 to nine years old. The bill does not outline the rights of the children who encounter this law, including their right to access a lawyer and disadvantages children who are socioeconomically challenged and would struggle to obtain legal assistance.(69)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor and Employment (DOLE), Bureau of Working Conditions	Enforce child labor laws; regularly train inspectors and regional personnel. Inspect establishments and monitor compliance with labor laws in all sectors, including in the informal sector and agricultural and mining operations.(1) Register DOLE enforcement activities using the Labor Law Compliance System Management Information System.(70)
Rescue the Child Laborers Quick Action Teams (Sagip Batang Manggagawa – SBM QAT)	Lead the regional mechanism for rescuing children who work in exploitative situations.(25) Detect, monitor, and respond to incidents of child labor using a cooperative and interagency approach.(37, 71) In 2016, rescued 65 children engaged in child labor.(42)
Department of Social Welfare and Development (DSWD)	Rehabilitate and reintegrate child laborers.(25, 72) Coordinate regional Special Action Units, with at least one dedicated staff member per region to conduct rescue operations for child laborers and cooperate with social workers to manage ongoing cases. Maintain 16 Crisis Intervention Units and 30 residential facilities nationwide, as well as social media accounts, to address cases of child abuse and support child abuse victims, including children exploited in hazardous labor.(16, 37)
Philippine National Police (PNP)	Investigate and prosecute cases related to the worst forms of child labor.(33, 73) The PNP’s Women and Children’s Protection Center leads the enforcement of laws on child trafficking and commercial sexual exploitation of children as well as other tasks related to the protection of children.(1)
National Bureau of Investigation (NBI)	Investigate and prosecute child labor cases.(33, 73) Operate a national Trafficking in Persons Task Force, as well as a Task Force on the Protection of Children from Exploitation and Abuse.(48, 74)
Philippine Drug Enforcement Agency	Enforce the Comprehensive Dangerous Drugs Act. Maintain a national hotline for reporting cases of children used in illicit activities.(72) Coordinate with the DSWD to assist during rescue operations.(1)

In May 2016, DOLE issued the Revised Rules on Labor Laws Compliance System, which prioritizes establishments and workplaces that employ children for joint assessments that would involve the labor inspector, the employer’s representatives, and the employees. If the complaint on an employer involves a violation of the Special Protection of Children against Child Abuse, Exploitation and Discrimination Act, the *Manual on Conduct of Inspection, Rescue and Enforcement Proceedings in Child Labor Cases* pursuant to Department Circular No. 02, Series of 2010, will apply. (37, 75)

Labor Law Enforcement

In 2016, labor law enforcement agencies in the Philippines took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$706,480 (76)	\$3,385,649 (77)
Number of Labor Inspectors	536 (16, 78)	574 (37)
Inspectorate Authorized to Assess Penalties	No (16)	No (37)

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Training for Labor Inspectors		
Initial Training for New Employees	Yes (16)	Yes (77)
Training on New Laws Related to Child Labor	N/A	Yes (37)
Refresher Courses Provided	Yes (16)	Unknown
Number of Labor Inspections		
Number Conducted at Worksite	Unknown (76)	Unknown
Number Conducted by Desk Reviews	Unknown (76)	Unknown
Number of Child Labor Violations Found		
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	Unknown
Number of Penalties Imposed that Were Collected	N/A	Unknown
Routine Inspections Conducted		
Routine Inspections Targeted	Yes (79)	Yes (37)
Unannounced Inspections Permitted		
Unannounced Inspections Conducted	Yes (16)	Yes (37)
Complaint Mechanism Exists		
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (16)	Yes (37)

In 2016, DOLE hired 41 additional Labor Laws Compliance Officers and conducted a Training of Labor Laws Compliance Officers on Child Labor Assessment to enhance personnel's capacity to detect and assess child labor incidents. However, enforcement of child labor laws remains challenging due to the lack of resources for inspections.(16, 37, 70) The number of labor inspectors is insufficient for the size of the Philippines's workforce, which includes over 42 million workers. According to the ILO's recommendation of one inspector for every 15,000 workers in developing economies, the Philippines should employ roughly 2,783 labor inspectors in order to adequately enforce labor laws throughout the country.(37, 80-82) While the Inspectorate's funding increased in 2016, the Government noted that DOLE's funding for maintenance and operating expenses was insufficient to carry out inspections across the country's 16 regions, particularly in more rural areas.(37, 77)

During the reporting period, DOLE identified 22 establishments in three regions with deficiencies in child labor law compliance and permanently closed two establishments that engaged four children in commercial sexual exploitation. In addition, SBM QATs conducted 23 rescue operations and removed 36 children working in hazardous activities.(37) While the SBM QATs are permitted to conduct unannounced compliance visits in video karaoke bars, massage parlors, sauna/bath houses, and farms, they are not authorized to conduct visits in private homes to search for underage child domestic workers.(70)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in the Philippines took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (76)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes (37)
Refresher Courses Provided	Yes (16)	Unknown
Number of Investigations		
Number of Violations Found	159 (16, 78)	Unknown
Number of Prosecutions Initiated	102 (16, 78)	54 (37)
Number of Convictions	40 (16, 78)	38 (37)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (16)	Yes (37)

In 2016, the PNP-WCPC employed 4,527 personnel, assigned to 1,918 women and children's desks throughout the country. In addition, the Anti-Trafficking Division of the National Bureau of Investigation maintained nine agents responsible for the investigation of human trafficking cases, with no investigators currently assigned to monitor international airports.(37)

The PNP-WCPC established the Internet Crimes Against Children office under the Anti-Trafficking in Persons Division to combat the Internet-facilitated commercial sexual exploitation of children.(37, 83) The PNP-WCPC also provided 419 police officers 32 different trainings on human trafficking and child labor laws, and it launched two manuals: the *Revised Standard Operating Procedures on Trafficking in Persons Investigation* and the *Manual in Handling Cases of Children at Risk and Children in Conflict with the Law*.(37) In addition, the Government organized trainings to build the capacity of law enforcement officials to investigate and prosecute human trafficking cases, including child labor trafficking cases. The Inter-Agency Council Against Trafficking (IACAT) conducted 26 trainings with 1,056 government personnel, and the IACAT Task Forces conducted a total of 168 trainings for a total of 13,229 participants, including 3,922 government personnel.(37) The IACAT also conducted 43 rescue operations that rescued 32 children.(42)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Child Labor Committee (NCLC)	Coordinate national efforts to combat child labor under DOLE.(25) Promote information-sharing at the national, regional, and provincial levels.(72) Composed of more than 25 government agencies, international organizations, and trade unions.(13)
Inter-Agency Council Against Trafficking (IACAT)	Coordinate, monitor, and oversee efforts to combat human trafficking, including child trafficking. Co-chaired by the Department of Justice and the DSWD.(1, 74) Composed of 24 anti-human trafficking task forces established in eight regions and seven interagency task forces in major seaports and airports. (1, 16, 70). In 2016, established a Memorandum of Understanding to coordinate efforts to combat the trafficking of children.(37)
Inter-Agency Council for the Welfare of Children (CWC)	Operate a monitoring and response system to assist children engaged in armed conflict, including recruitment and use of child soldiers.(33)
Inter-Agency Committee on Children Involved in Armed Conflict	Advocate for protecting children and preventing the involvement of children in armed conflict. Chaired by the CWC.(70) Coordinate and monitor the implementation of the Children in Armed Conflict Program Framework.(1)
Inter-Agency Council Against Child Pornography	Monitor and implement the Anti-Child Pornography Act of 2009.(84) Chaired by the DSWD.(76)

In 2016, the Government proposed an executive order that aims to restructure the role of the National Child Labor Committee (NCLC) and allocate funds to support its projects and activities, which would enhance the NCLC's role as the lead coordination mechanism on child labor policy and programming.(37, 85)

In March 2016, the NCLC, DOLE, and members of the Technical Working Group on Decent Work convened to update the Philippine Program against Child Labor, which set a goal of withdrawing one million child laborers by 2022, with a priority placed on removing children from domestic work.(67)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of the Philippines has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
Philippine Program against Child Labor (2017-2022)	Aims to remove one million children from child labor by the year 2025.(37) Implementation led by the Bureau of Workers with Special Concerns.(67)
National Strategic Action Plan Against Trafficking in Persons (2012–2016)	Raises awareness and creates local programs to prevent children from being victimized by human traffickers.(1, 72)

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Table 9. Key Policies Related to Child Labor (cont)

Policy	Description
Inter-Agency Council Against Child Pornography Three-Year Strategic Plan†	Aims to eradicate child pornography in the Philippines by focusing efforts in five strategic areas: (1) advocacy and prevention; (2) law enforcement and prosecution; (3) protection, recovery, and reintegration; (4) research, monitoring, and management of information systems; and (5) partnerships and networking.(86)
Medium-Term Philippine Development Plan (2011–2016)	Aims to strengthen monitoring mechanisms for child protection laws, develop strategies for responding to child trafficking and pornography concerns, and implement an enhanced program for preventing the engagement of children in armed conflict.(72)
Philippine Labor and Employment Plan (2011–2016)	Operates within the framework of the Medium-Term Philippine Development Plan and includes the goal of reducing exploitive child labor.(1, 72, 87)
National Strategic Framework for Plan Development for Children (Child 21) (2000–2025)	Sets out broad goals for national government agencies, local governments, and NGOs to achieve improved quality of life for Filipino children by 2025.(25, 74, 88) Addresses concerns related to the worst forms of child labor under the section on children in need of special protection.(16)
National Plan of Action for Children (2011–2016)	Serves as an agenda for implementation of Child 21.(74) Child labor elimination and prevention strategies are mainstreamed throughout the document, particularly in goal two on child protection, which specifies that children should be free from violence, abuse, neglect, and exploitation.(16)

† Policy was approved during the reporting period.

In December 2016, the NCLC announced that it will launch three anti-child labor programs in early 2017 to support the Philippine Program against Child Labor 2016-2022. These programs will establish helpdesks and a local registry on child labor for referral to social services, integrate a new module on child labor with a conditional cash transfer program that will raise awareness of child labor and involve families in preventing and combating child labor, and provide interventions to address child labor in gold mines and improving these children's working conditions.(89)

However, access to education remains a challenge in the Philippines. While the Philippine Constitution mandates free public education, many children are unable to attend school due to the prohibitive cost of books, uniforms, meals, and transportation.(16, 90)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor†

Program	Description
Child Labor Prevention and Elimination Program (<i>Pantawid Pamilyang Pilipino Program</i>)	DSWD program that provides conditional grants to poor families with children to improve their access to health care, adequate nutrition, and education; implements local awareness-raising campaigns; institutes child labor-monitoring mechanisms; and requires <i>barangays</i> to develop child labor elimination plans. (91-93) Covers 1,627 cities and municipalities in 79 provinces and all 17 regions.(70) As of November 2016, there were 4,389,863 active household beneficiaries who received education and health services. Program will include a child labor module that will impart information on the effects of child labor to project participants and the family's role to combat child labor.(37, 94)
Campaign for Child-Labor Free <i>Barangays</i> †	DOLE program that aims to eliminate child labor in villages through community awareness-raising on child labor and anti-human trafficking laws, and through government livelihood programs and guidelines.(95) In 2016, DOLE declared 79 <i>barangays</i> child labor free, bringing the total number to 292 since 2014.(37) DOLE regional offices certified 28 establishments child labor free, bringing the total up to 210 since 2013.(37)
Livelihood for Parents of Child Laborers (<i>Kabuhayan para sa Magulang ng Batang Manggagawa</i>)†	DOLE program that provides livelihood assistance to parents, guardians or other family members of child laborers. (73, 96, 97) In 2016, prevented or removed a total of 2,108 child laborers or children at risk for child labor.(37)
Recovery and Reintegration Program for Trafficked Persons†	DSWD and IACAT program that provides recovery and reintegration services to victims of human trafficking and raises awareness in vulnerable communities.(98) Includes the National Referral System, which strengthens coordination among agencies providing services to human trafficking victims through the use of standard referral and reporting forms.(98) There are 149 referral networks established in 16 regions. In 2016, received a budget of \$479,413.(37)

Table 10. Key Social Programs to Address Child Labor[†] (cont)

Program	Description
USDOL-Funded Projects	USDOL projects in the Philippines that aim to eliminate child labor in the sugar-cane provinces, artisanal and small-scale gold mines, and its worst forms, through improved capacity of the national government and legislation, the implementation of a National Action Plan, research, data collection, the development of strategic policies to address the elimination of child labor and forced labor, and stronger legal protections and social services delivery for child domestic workers. These projects include Country Level Engagement and Assistance to Reduce Child Labor (CLEAR) , implemented by the ILO in at least 11 countries; Global Action Program (GAP) on Child Labor Issues , implemented by the ILO in approximately 40 countries; Building a Generation of Safe and Healthy Workers: Safe and Healthy Youth , implemented by the ILO with the Philippines as one of the three pilot countries; Philippines ABK3 LEAP—Livelihoods, Education, Advocacy, and Protection to Reduce Child Labor in Sugarcane (2011–2016), \$16.5 million project implemented by World Vision; and “CARING Gold Mining Project,” Convening Stakeholders to Develop and Implement Strategies to Reduce Child Labor and Improve Working Conditions in Artisanal and Small-scale Gold Mining (ASGM) (2015–2019) , implemented by the ILO with the Philippines as one of the two pilot countries. (99-102) For additional information about USDOL’s work, please visit our Web site .
Alternative Learning System Program [†]	Department of Education program that offers non-formal education to out-of-school children, including child laborers, as well as opportunities to attain a certificate of education equivalency. Has limited resources, represents approximately 1 percent of the Department of Education’s budget, and has only 1 teacher for every 24 communities, so it cannot reach many out-of-school youth.(76, 77, 96)

[†] Program is funded by the Government of the Philippines.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(25, 73, 96, 103, 104)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in the Philippines (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Enforcement	Authorize the labor inspectorate to assess penalties.	2015 – 2016
	Increase the number of labor inspectors responsible for enforcing laws related to child labor as well as resources available in order to provide adequate coverage of the workforce.	2014 – 2016
	Authorize SBM QATs to conduct compliance visits in private homes to search for underage child domestic workers.	2014 – 2016
	Publish information about the training system for labor inspectors, the number of labor inspections conducted at worksites and by desk review, whether routine inspections are conducted and targeted, and the number of child labor law violations found; and ensure that the total number of criminal investigations, violations, prosecutions, and convictions related to the worst forms of child labor are disaggregated by age.	2015 – 2016
Coordination	Pass the proposed executive order to restructure the National Child Labor Committee and ensure it has the legal mandate and resources necessary to effectively coordinate national efforts to combat child labor including its worst forms.	2015 – 2016
Government Policies	Ensure that all children are able to safely access and attend school and do not face prohibitive costs for education-related expenses.	2010 – 2016
Social Programs	Provide necessary resources to help more out-of-school youth access the Alternative Learning System program so they can complete their basic education.	2011 – 2016

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In 2016, Rwanda made a moderate advancement in efforts to eliminate the worst forms of child labor. During the year, the Government earmarked approximately \$243,346 to provide rehabilitation services to children working on the streets and juvenile delinquents. The Ministry of Education also adopted Ministerial Order 001/2016, which imposes sanctions on parents who fail to send their children to school and fines individuals who employ children under the minimum age for work. In addition, the Ministry of Labor developed a memorandum of understanding with the business community to address child labor. However, children in Rwanda perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in domestic work, sometimes as a result of human trafficking. Enforcement and implementation of child labor laws and regulations remain problematic, and there are no social programs specifically targeting children engaged in domestic work.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Rwanda perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in domestic work, sometimes as a result of human trafficking. (1, 2) Table 1 provides key indicators on children's work and education in Rwanda.

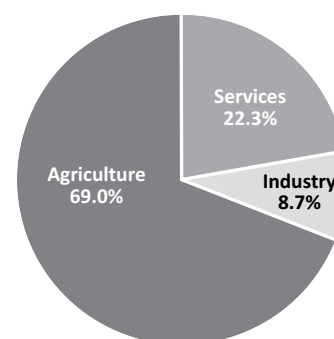
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	6 to 14	5.2 (151,257)
Attending School (%)	6 to 14	88.6
Combining Work and School (%)	7 to 14	4.6
Primary Completion Rate (%)		60.5

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016. (3)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Integrated Household Living Conditions Survey, 2013–2014. (4)

Figure 1. Working Children by Sector, Ages 10-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including carrying heavy loads,† applying pesticides† and fertilizers† (5-7)
	Production of sugarcane, bananas, and tea (5, 8-11)
	Planting and harvesting beans, cabbage, coffee, corn, manioc, peas, pineapple, potatoes, pyrethrum, sweet potatoes, and sorghum. (5, 6, 11)
	Herding cattle and caring for sheep, goats, rabbits, chickens, and pigs (5, 6)
	Production of charcoal (7)
	Fishing, activities unknown (12)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Industry	Construction,† including rock crushing (7, 9, 10)
	Digging pit latrines (13)
	Making bricks† (7, 13)
	Mining† coltan and chalk (14-16)
Services	Domestic work† (1, 7, 10, 17, 18)
	Portering goods across the border (7)
	Street work, including begging, collecting scrap metal,† lifting and carrying heavy loads,† portering, and vending (9, 19-23)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (7, 17, 24-27)
	Forced agricultural labor and domestic work, sometimes as a result of human trafficking (17, 18, 27-29)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.







Children in Rwanda are trafficked internally for domestic work. Some Rwandan children are externally trafficked, primarily to Uganda, as well as other countries in East Africa, South Africa, the United Arab Emirates, Malaysia, China, the United States, and Europe for commercial sexual exploitation and forced labor in domestic work and in agricultural and industrial sectors.(27)

Although the Ministry of Education established a policy that provides free basic education for 12 years and aims to improve access to education by hiring new teachers and building schools (29, 30), in practice, the costs of uniforms, school supplies, and unofficial school fees may preclude some families from sending their children to school.(1, 20, 29-32)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Rwanda has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Rwanda’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	16	Article 4 of the Labor Law (33)
Minimum Age for Hazardous Work	Yes	18	Article 4 of the Labor Law (33)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 4–6 of Ministerial Order 2010-06; Kigali City Guidelines 2012–02; Mimuri Sector Child Labor Guidelines for Sugar and Rice Production (34-36)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Forced Labor	Yes		Articles 8 and 72 of the Labor Law; Article 178 of the Penal Code; Article 51 of the Law Relating to the Rights and Protection of the Child (32, 33, 37)
Prohibition of Child Trafficking	Yes		Article 72 of the Labor Law; Article 28 of the Law on Prevention and Punishment of Gender-Based Violence; Articles 225, 251, and 258–261 of the Penal Code; Article 51 of the Law Relating to the Rights and Protection of the Child (32, 33, 37, 38)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 72 of the Labor Law; Articles 190, 211, and 260 of the Penal Code; Article 51 of the Law Relating to the Rights and Protection of the Child (32, 33, 37)
Prohibition of Using Children in Illicit Activities	Yes		Article 72 of the Labor Law; Article 220 of the Penal Code; Article 51 of the Law Relating to the Rights and Protection of the Child (32, 33, 37)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		Article 5 of Presidential Order 72/01 (39)
State Voluntary	Yes	18	Article 5 of Presidential Order 72/01; Article 50 of the Law Relating to the Rights and Protection of the Child (32, 39)
Non-state Compulsory	Yes		Article 221 of the Penal Code (37)
Compulsory Education Age	Yes	16	Article 47 of the Law Relating to the Rights and Protection of the Child (32)
Free Public Education	Yes		Article 47 of the Law Relating to the Rights and Protection of the Child (30, 32)

* No conscription (17, 32, 40)

In 2016, the Ministry of Justice continued revising Rwanda's 2012 Penal Code with the aim of strengthening penalties for exploitative child labor and trafficking in persons. The revisions have yet to be approved.(41) In addition, the Ministry of Education (MINEDUC) adopted Ministerial Order 001/2016, which imposes sanctions on parents who fail to send their children to school. It also fines individuals who employ children and prevent them from attending school or encourage children to drop out of school.(18, 42)

During the year, the Ministry of Public Service and Labor approved guidelines that determined light work activities for children between ages 13 and 15. Light work for children is restricted to a maximum of 20 hours per week and may include the following: internships, computer work, phone and electricity airtime and mobile money selling, radio and television repair, newspaper distribution, providing customer care services at a family business, Internet café activities, hairdressing- and barbershop-related work, and crafting and small trading business activities in a family business.(43) Labor laws are still unclear about minimum age protections for children in the informal sector.(33, 44, 45)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Public Service and Labor (MIFOTRA)	Enforce labor laws, including laws on child labor.(11, 46-48) In partnership with the Ministry of Education (MINEDUC), children withdrawn from child labor are reintegrated with their families and enrolled in school.(29)
Rwandan National Police (RNP)	Enforce criminal laws related to the worst forms of child labor and operate a free hotline to report incidents of gender-based violence and child abuse, including child labor.(11, 12, 49) In the case of the RNP's Child Protection Unit and Anti-Trafficking Unit, enforce laws related to the worst forms of child labor.(1, 11, 51, 52, 29) In the case of the Directorate for Anti-Gender-Based Violence, assist victims of the worst forms of child labor through anti-gender-based violence officers at each of the 78 police stations.(9)

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Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
National Public Prosecution Authority (NPPA)	Prosecute violations of labor laws, including laws on child labor.(11, 46-48)
Directorate General of Immigration and Emigration	Receive referrals for trafficking cases and employ an anti-trafficking specialist.(12) Verify that children transported across the border are traveling with the permission of their parents or guardians. Train border and immigration officials to identify potential trafficking victims.(11, 50)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Rwanda took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	\$182,927 (29)
Number of Labor Inspectors	35 (1)	35 (29)
Inspectorate Authorized to Assess Penalties	Yes (1)	Yes (29)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (1)	Yes (29)
Training on New Laws Related to Child Labor	Yes (1)	Yes (29)
Refresher Courses Provided	Yes (1)	Yes (29)
Number of Labor Inspections	Unknown* (1)	1,051 (29)
Number Conducted at Worksite	Unknown* (1)	1,051 (29)
Number Conducted by Desk Reviews	Unknown* (1)	N/A (29)
Number of Child Labor Violations Found	Unknown* (1)	Unknown* (29)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown* (1)	Unknown* (29)
Number of Penalties Imposed That Were Collected	Unknown* (1)	Unknown* (29)
Routine Inspections Conducted	Yes (1)	Yes (29)
Routine Inspections Targeted	Yes (1)	Yes (29)
Unannounced Inspections Permitted	Yes (1)	Yes (29)
Unannounced Inspections Conducted	Yes (1)	Yes (29)
Complaint Mechanism Exists	Yes (1)	Yes (29)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (29)

* The Government does not publish this information.

The number of labor inspectors is insufficient for the size of Rwanda's workforce, which comprises more than 6 million workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Rwanda should employ roughly 151 labor inspectors.(56-58) According to the Ministry of Public Service and Labor (MIFOTRA), labor unions, and local human rights groups, the insufficient number of labor inspectors hamper the labor inspectorate's capacity to monitor and enforce child labor laws. However, sources report that MIFOTRA had adequate funding and transportation to carry out labor inspections in 2016.(1, 29) During 2016, 220 inspections were specific to child labor out of the 1,051 total inspections conducted. MIFOTRA also carried out 209 targeted inspections in 209 mines in the formal sector and found that of the 17,000 employees working, none were under the minimum age for work.(29)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Rwanda took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (1)	Yes (29)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (1)	Yes (29)

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor (cont)

Overview of Criminal Law Enforcement	2015	2016
Refresher Courses Provided	Yes (1)	Yes (29)
Number of Investigations	Unknown* (1)	Unknown* (29)
Number of Violations Found	Unknown* (1)	Unknown* (29)
Number of Prosecutions Initiated	Unknown* (1)	14 (29)
Number of Convictions	Unknown* (1)	8 (29)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (29)

* The Government does not publish this information.

In 2016, Rwandan National Police (RNP) expanded its training curriculum by including police training on the commercial sexual exploitation of children, gender-based violence, and trafficking in persons. During the year, the RNP and immigration officials arrested perpetrators who attempted to commit child trafficking for labor exploitation while crossing the Burundi border.(29) Although the RNP operates a free hotline staffed by social workers to report incidences of gender-based violence and child abuse, including child labor, it is unknown how many of these complaints were related to child labor.(12, 17, 49)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Inter-Ministerial Steering Committee on Child Labor	Coordinate government efforts related to the worst forms of child labor, review child labor laws, advocate for the inclusion of child labor policies in national development plans, oversee the implementation of child labor interventions, and conduct field visits to assess the prevalence of child labor and to raise awareness of child labor. Met quarterly in 2016.(9, 51)
National Consultative Forum on Human Trafficking, Drug Abuse, and Gender-Based Violence	Enable national-level discussion and coordination of efforts to address human trafficking. Chaired annually by the First Lady of Rwanda and includes parliamentarians; representatives of the Ministry of Gender and Family Promotion (MIGEPROF), the Ministry of Justice, MINEDUC, and the RNP; NPPA prosecutors; NGOs; and faith-based and civil society leaders. MIGEPROF was selected to coordinate implementation of the 2014–2015 anti-human trafficking plan.(17) In 2016, the Anti-Trafficking in Persons assembly met and determined that some recommendations in the implementation were not fulfilled. As a result, the assembly adopted 18 resolutions and established a new deadline of June 2017.(52)
National Commission for Children	Monitor, promote, and advocate for children’s rights; develop action plans to protect children from abuse and exploitation. Overseen by MIGEPROF and supported by a board of directors and an advisory council of 14 institutions.(9, 53, 54)
Roundtable on the Elimination of Child Labor for Sustainable Tea Forum (REST)	Implement policies and programs related to child labor in the tea sector. Representatives include MIFOTRA, Winrock International, and tea industry and civil society groups. REST met on a quarterly basis.(29)
Local Committees	Monitor incidents of child labor nationwide through 149 local committees.(9, 51) In the case of the Child Labor Committees, implement policies developed by the Inter-Ministerial Steering Committee on Child Labor in 30 districts and coordinate district labor inspectors, police, and social services officers in conducting inspections, enforcing labor laws, and providing social services to child labor victims. In the case of Gender-Based Violence Committees, operate at the district level to raise awareness about gender-based violence and coordinate social services to assist gender-based violence victims. In the case of Child Protection Committees, identify and report cases of child rights violations at the district, sector, and cell levels.(1, 55, 56)
Kigali City Council Task Force	Coordinate activities to combat child labor in the districts of Gasabo, Kicukiro, and Nyarugenge.(14, 56, 57) The Task Force met during the year to discuss strategies to combat child labor.(52)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

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Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
National Policy for the Elimination of Child Labor (2013) and 5-Year Action Plan to Combat Child Labor	Aims to prevent at-risk children from entering exploitative child labor; withdraw children engaged in exploitative labor through the provision of education; rehabilitate former child laborers through counseling, life skills training, and medical care; raise community awareness about child labor; and establish monitoring and evaluation mechanisms on child labor. The Government committed more than \$4.2 million to implement the activities listed in the National Policy and the Action Plan.(11, 58-60)
Trafficking in Persons Action Plan	Aims to improve government efforts to combat human trafficking through awareness-raising, research, poverty reduction strategies, improved services provision, enforcement, and collaboration. Developed by the Consultative Forum on Human Trafficking, Drug Abuse, and Gender-Based Violence.(17, 61)
Government Policies Advancing Youth Employment and Social Protection	Aims to increase understanding of child labor and economic exploitation, and provides employment for school dropouts. Includes the National Employment Policy and National Youth Policy.(13, 62-64)

[‡] The Government has other policies that may have addressed child labor issues or had an impact on child labor.(40, 65-68)

In 2016, the Government adopted guidelines to combat child labor, assisted in recruiting 30,000 village-level volunteers to address child labor, and increased its budget to provide child welfare services under the National Policy for the Elimination of Child Labor.(52) The Government has not included child labor elimination and prevention strategies in Vision 2020, the National Social Protection Strategy, and National Technical and Vocational Education and Training Policy.(62, 69, 70) Sources indicate that the Government is drafting its Vision 2050 strategies to align with sustainable development goals; this should include child labor elimination and prevention strategies.(52)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
Programs to Combat Child Labor and Raise Awareness [‡]	Government-funded and implemented programs to combat child labor and raise awareness. Includes MIGEPROF's campaign to teach parents and community leaders to recognize risk factors for human trafficking and to identify victims.(17) Friends of the Family (<i>Incuti Z'Umuryango</i>) Program, which trains volunteers to provide social services to families and children who are victims of the worst forms of child labor, identifies children at risk of trafficking or forced labor, and reports them to district governments and the RNP. This program also establishes monitoring committees at the village, cell, sector, district, and national levels to combat child labor.(17) The Vision 2020 Umurenge Program provides cash and in-kind transfers to child-headed households and street children.(11, 62, 71, 72) MIFOTRA developed a memorandum of understanding that invited the business community to commit to eradicating child labor.(7)
Victim Assistance Programs [‡]	Gitagata Center provides education, vocational training, and psychosocial support, and reunites former street children in the Bugesera District with their families.(9, 73) "One-stop" centers are located in hospitals and district capitals for victims of gender-based violence and human trafficking, including individuals who have experienced child domestic work, commercial sexual exploitation, and forced labor. These centers provide medical care, counseling, legal aid, short-term shelter, and access to police services. In 2016, the number of centers increased from 21 to 28.(17)
USDOL-Funded Projects	USDOL projects aim to collect data on child labor, remove children from child labor, and provide technical assistance to the Government to develop policies to combat child labor. Includes Rwanda Education Alternatives for Children in Tea-Growing Areas (2013–2017), a \$5 million project implemented by Winrock International, and Global Action Program on Child Labor Issues (2011–2017), a \$15.9 million global project implemented by the ILO in 40 countries, including Rwanda.(74, 75) Additional information is available on the USDOL Web site .
McGovern-Dole School Feeding Program	\$25 million World Food Program and the U.S. Department of Agriculture pilot program that works with the Government of Rwanda to provide school meals to 83,000 children in 4 districts (Karongi, Rutsiro, Nyamagabe, and Nyaruguru).(29)
Books Can Open Closed Doors	Save the Children and Children's Voice Today to advocate for the rights of child domestic workers and offer services and support. Since 2015, the program has trained 42 children in vocational skills, provided social services to 98 children, withdrawn 5 children from child labor, and educated more than 6,000 children and 3,000 community members about child labor issues.(76)

Table 10. Key Social Programs to Address Child Labor[†] (cont)

Program	Description
Study on Violence Against Children*	The Government, in collaboration with UNICEF and the Centers for Disease Control and Prevention, is conducting a 2-year study about violence against children, including child labor. The study's findings will be published in 2017. (29)

* Program was launched during the reporting period.

† Program is funded by the Government of Rwanda.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms. (9, 17, 77, 78)

Although Rwanda has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem of child labor in domestic work and agriculture.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Rwanda (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that relevant child labor laws and regulations apply equally to children working in non-contractual and contractual employment.	2009 – 2016
Enforcement	Ensure that labor law enforcement personnel have sufficient human resources to enforce child labor laws.	2009 – 2016
	Publish information about the number of child labor violations found, number of child labor penalties imposed, and penalties collected based on child labor violations.	2009 – 2016
	Publish information about the number of criminal investigations and violations found related to the worst forms of child labor.	2015 – 2016
	Disaggregate the number of complaints received by the RNP's hotline that relate to child labor.	2013 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into Vision 2050, the National Social Protection Strategy, and National Technical and Vocational Education and Training Policy.	2011 – 2016
Social Programs	Ensure that school costs, such as uniforms, school supplies, and unofficial school fees, do not diminish the impact of the 12-year education policy.	2010 – 2016
	Expand existing programs to address the scope of the child labor problem in domestic work and agriculture.	2015 – 2016

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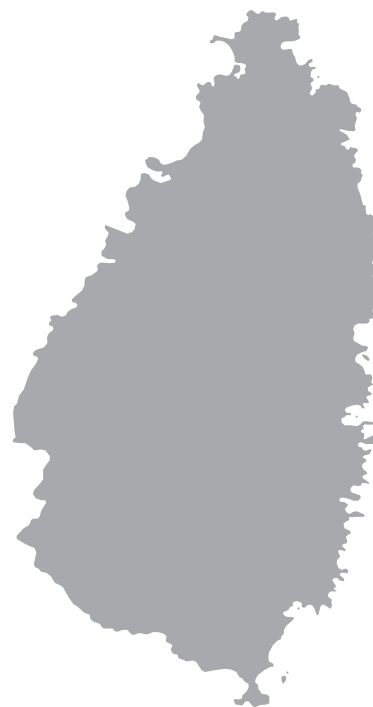
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Saint Lucia

MODERATE ADVANCEMENT

In 2016, Saint Lucia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government implemented a National Framework and accompanying National Action Plan for Combating Trafficking in Persons. A rapid assessment conducted by the International Labor Organization in 2016 revealed limited evidence of children engaging in the worst forms of child labor in Saint Lucia, including in commercial sexual exploitation and the sale and transportation of drugs. Saint Lucia's law does not fully protect children from hazardous work and illicit activities.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, evidence suggests that children in Saint Lucia engage in the worst forms of child labor, including in commercial sexual exploitation and the sale and distribution of drugs.(1-3) Table 1 provides key indicators on children's work and education in Saint Lucia.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	7.5 (2,017)
Attending School (%)	5 to 14	99.7
Combining Work and School (%)	7 to 14	8.2
Primary Completion Rate (%)		107.6

Source for primary completion rate: Data from 2007, published by UNESCO Institute for Statistics, 2016.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2012.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Services	Street vending, including selling food and handicrafts in markets (2, 6, 7)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation (3, 8-10)
	Sale and distribution of drugs(3, 7)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.

Saint Lucia lacks current data on the prevalence of child labor, including its worst forms.(12) Limited evidence indicates that children engage in commercial sexual exploitation, sometimes in exchange for rides, clothing, or cell phones or with the knowledge or encouragement of parents in situations of financial need.(3, 11) Limited evidence also suggests that children are used to transport and sell drugs.(3) Local and foreign children are also subjected to sex trafficking, including by parents and caregivers.(12, 13)



II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Saint Lucia has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	
ILO C. 182, Worst Forms of Child Labor	✓

Table 3. Ratification of International Conventions on Child Labor (cont)

	Convention	Ratification
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Saint Lucia's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 122 of the Labor Code (14, 15)
Minimum Age for Hazardous Work	Yes	18	Articles 2 and 23 of the Employees (Occupational Health and Safety) Act (16)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 23 of the Employees (Occupational Health and Safety) Act (16); Article 214 of the Labor Code(14)
Prohibition of Forced Labor	No		Article 4 of the Constitution; Article 6 of the Labor Code (14, 17)
Prohibition of Child Trafficking	Yes		Articles 3(a), 5, and 10(c) of Counter-Trafficking Act No. 7 (18)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 141 of the Criminal Code; Articles 2 and 5 of Counter-Trafficking Act No. 7 (18, 19)
Prohibition of Using Children in Illicit Activities	No		Articles 141 and 560 of the Criminal Code (19)
Minimum Age for Military Recruitment			
State Compulsory	N/A**†		
State Voluntary	N/A**†		
Non-state Compulsory	No		
Compulsory Education Age	Yes	15	Article 27 of the Education Act (20)
Free Public Education	Yes		Article 16 of the Education Act (20)

* No conscription (21)

† No standing military (21)

In Saint Lucia, the law prohibits children from engaging in hazardous activities except for children between the ages of 16 and 18 who are adequately instructed and supervised through an apprenticeship or vocational training program.(14, 16) In addition, although the Criminal Code prohibits the use of children in some illicit activities, such as street work, the use, procuring or offering of children for the production and trafficking of drugs is not criminally prohibited.(19) Laws related to forced labor are not sufficient as forced labor is not criminally prohibited. Finally, the law does not sufficiently prohibit commercial sexual exploitation, as the use or offering of children for commercial sexual exploitation is not criminally prohibited.(18)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Education, Human Resource Development, and Labor	Enforce laws on child labor, in part through labor inspections conducted by its Department of Labor.(10, 22, 23)
Royal Saint Lucia Police Force	Enforce criminal laws related to the worst forms of child labor. In the case of the Vulnerable Persons Unit, investigate cases of child labor, abuse, and neglect, and work in collaboration with the Division of Human Services.(6, 24) Use a specific manual for the investigation of crimes related to children.(22)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Saint Lucia took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown* (2)	Unknown* (3)
Number of Labor Inspectors	9 (6)	7 (3)
Inspectorate Authorized to Assess Penalties	No(25)	No (3)
Training for Labor Inspectors		
Initial Training for New Employees	No (25)	N/A
Training on New Laws Related to Child Labor	N/A	N/A (3)
Refresher Courses Provided	No (6)	No (3)
Number of Labor Inspections	300(25)	250 (3)
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	0 (6)	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (6)	N/A (3)
Number of Penalties Imposed that Were Collected	N/A (6)	N/A (3)
Routine Inspections Conducted	Yes (6)	Yes (3)
Routine Inspections Targeted	No (6)	No (3)
Unannounced Inspections Permitted	Yes (6)	Yes (3)
Unannounced Inspections Conducted	Yes (6)	Yes (3)
Complaint Mechanism Exists	Yes (6)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (6)	Yes (3)

* The Government does not publish this information.

Although inspectors look for child labor and forced labor violations during inspections, insufficient funding hampers the labor inspectorate's capacity to enforce child labor laws.(6, 10) In 2016, the number of labor inspectors—as well as the number of inspections conducted—decreased.(3) Inspectors can make recommendations to the Labor Commissioner but cannot assess penalties, and existing penalties are insufficient to deter employers from committing child labor violations.(3, 25)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Saint Lucia took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes(25)	No (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (11)	Yes(13)
Number of Investigations	0 (11)	0 (3)

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor (cont)

Overview of Criminal Law Enforcement	2015	2016
Number of Violations Found	0 (11)	0 (3)
Number of Prosecutions Initiated	0 (11)	0 (3)
Number of Convictions	0 (11)	0 (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (3)

Although the local police can enforce laws against the worst forms of child labor, it is the vulnerable persons units—two units of twelve officers each—who lead this effort.(3) Insufficient resources, including transportation and equipment, hamper the police’s capacity to enforce child labor laws.(3) In September and October 2016, immigration and police officers were trained by Interpol to combat human trafficking.(13)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Ministry of Health, Wellness, Human Services, and Gender Relations	Refer potential child labor cases to the Royal Saint Lucia Police Force.(22)
Trafficking in Persons Task Force	Coordinate the identification and referral of human trafficking cases among law enforcement, social service, and immigration officials pursuant to the Counter-Trafficking Act. Comprises public servants, including representatives from the Ministry of Labor, the police force, and victim service NGOs.(7, 18, 22)
Office of Gender Relations	Provide referrals to human trafficking victims for health, advocacy, crisis and legal services.(9)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Trafficking in Persons (2015–2018)†	Identifies the strategic goals and objectives for combating human trafficking, as well as the means to achieve them, and establishes the coordination of counter-trafficking measures and the effective cooperation between all actors.(3, 13) In 2016, the Government made progress on the following strategic goals: coordination structures; review, monitoring and evaluation; and awareness-raising and education.(7)
National Framework for Combating Trafficking in Persons†	Outlines government response and roles in combating and preventing human trafficking.(3)
National Social Protection Policy (2014–2024)	Establishes a social protection system in Phase I (2014–2019) by consolidating the Social Safety Net programs. In Phase II (2019–2024), implements wider reforms for creating a coherent Social Protection System.(3) Child protection policies are incorporated into poverty reduction concepts and promote access to education.(6, 26) In 2016, the Government completed needs assessments and established the inter-agency dialogue mechanism.(7)

† Policy was approved during the reporting period.

In 2016, the Government approved the National Action Plan and Framework for Combating Trafficking in Persons, and finalized a human trafficking prevention campaign.(3, 12) The Government also joined the Regional Initiative for Latin American and the Caribbean Free of Child Labor.(27) However, child labor elimination and prevention strategies are not integrated into the National Social Protection Policy.(7) Research did not reveal policies addressing commercial sexual exploitation of children.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded programs that may contribute to the prevention or elimination of child labor (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
ILO Decent Work Program	Promotes decent work and advances the ILO's Decent Work Agenda.(3) In 2016, the Government, with support from the ILO, worked on the development and adoption of National Safety and Health policies.(7)
Educational Programs [‡]	The Saint Lucia Social Development Fund and Public Assistance Program fosters school attendance; the Community Empowerment's After School Program aims to improve academic performance and maintains school attendance of children ages 8 to 16; the Upton Garden Girls Center provides education, training, and self-development opportunities to teenage girls; the Center for Adolescent Renewal and Education provides second-chance education, training, and self-development services to adolescents; the Boys Training Center supports boys ages 10 to 18 who have come in contact with the law or require care and protection; and the <i>Koudmen Sent Lisi</i> program funds textbook rentals, a book bursary, a school feeding program, and a transportation subsidy program at most secondary schools.(2, 3, 6)
Strengthening Capacity to Accelerate Eradication of Child Labor in Latin America and the Caribbean	Government of Spain-funded \$603,070, 2-year project implemented by ILO-IPEC that aims to strengthen public policies and government capacity to combat child labor in over 20 countries in Latin America and the Caribbean, including Saint Lucia.(28) In 2016, a diagnostic study was completed in Saint Lucia.(28)

[†] Program is funded by the Government of Saint Lucia.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(28)

Research found no evidence of any programs with the specific goal of eliminating or preventing child labor, including its worst forms.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Saint Lucia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including Its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws criminally prohibit the forced labor of children.	2016
	Ensure that laws criminally prohibit the use or offering of a child for commercial sexual exploitation.	2016
	Ensure that laws prohibit procuring or offering a child for illicit activities, including drug trafficking and production.	2011 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Authorize labor inspectors to assess penalties for labor law violations.	2016
Enforcement	Collect and publish information on labor inspectorate funding.	2012 – 2016
	Ensure that new labor inspectors receive training on child labor law enforcement and that refresher courses are provided for all labor inspectors.	2015 – 2016
	Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data on risk-prone sectors and patterns of serious incidents.	2015 – 2016
	Ensure that the labor inspectorate receives sufficient funding for conducting labor inspections.	2015 – 2016
Government Policies	Ensure that child labor elimination and prevention strategies are integrated into economic development and social protection policies.	2015 – 2016
	Adopt a policy that addresses all relevant worst forms of child labor, including the commercial sexual exploitation of children.	2010 – 2016
Social Programs	Design and implement social programs that specifically target and assist children engaged in the worst forms of child labor, including in commercial sexual exploitation and illicit activities such as the sale and transportation of drugs.	2013 – 2016

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In 2016, Saint Vincent and the Grenadines made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government invested in poverty reduction initiatives benefitting children by initiating the Zero Hunger Trust Fund and expanding funding for the Supplementary Feeding program. Under the National Plan of Action Against Trafficking in Persons, the Government also participated in the IOM's Baseline Assessment to determine how to best build capacity to eliminate human trafficking, including of children. However, although research is limited, there is evidence that children in Saint Vincent and the Grenadines perform dangerous tasks in domestic work and begging. Limited research also suggests that children engage in the worst forms of child labor, including in commercial sexual exploitation. Gaps remain in the legal framework; the minimum age for hazardous work falls below international standards and there is no law to prohibit the use of children in the production of drugs.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Saint Vincent and the Grenadines perform dangerous tasks in domestic work and begging, and engage in the worst forms of child labor, including in commercial sexual exploitation.(1-3) Table 1 provides key indicators on children's work and education in Saint Vincent and the Grenadines. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		98.2

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(4) Data were unavailable from Understanding Children's Work Project's analysis, 2016.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Services	Domestic work and begging (6-8)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation (9, 10)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Limited research suggests that some children in Saint Vincent and the Grenadines are subjected to commercial sexual exploitation, including by their relatives, in exchange for money or goods.(11, 12) In 2016, local authorities did not identify any new cases of commercial sexual exploitation of children.(12)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Saint Vincent and the Grenadines has ratified all key international conventions concerning child labor (Table 3).



Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Saint Vincent and the Grenadines' legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Part II, Article 8 of the Employment of Women, Young Persons, and Children Act (13)
Minimum Age for Hazardous Work	No	14	Articles 1 and 2 of the Employment of Women, Young Persons, and Children Act (13)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Part I, Sections 3 and 4; and Articles 1 and 2 of the Employment of Women, Young Persons, and Children Act (13)
Prohibition of Forced Labor	Yes		Part I, Article 2 of the Prevention of Trafficking in Persons Act (14)
Prohibition of Child Trafficking	Yes		Part II, Articles 5–8 of the Prevention of Trafficking in Persons Act (14)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Part II, Article 7 of the Prevention of Trafficking in Persons Act (14)
Prohibition of Using Children in Illicit Activities	No		Part II, Articles 5 and 8 of the Prevention of Trafficking in Persons Act (14)
Minimum Age for Compulsory Military Recruitment	N/A*†		
State Compulsory	N/A†		
State Voluntary	N/A†		
Non-State Compulsory	No		
Minimum Age for Voluntary Military Service	Yes	19	Part I, Article 6 of the Police Act (15)
Compulsory Education Age	Yes	16	Part I, Article 2 of the Education Act (16)
Free Public Education	Yes		Part III, Articles 14–16 of the Education Act (16)

† No standing military (17)

* No conscription (15)

The minimum age of 14 for hazardous work is not in compliance with international standards. Furthermore, laws related to illicit activities are not sufficient as the use of children in the production of drugs is not criminally prohibited.(14, 18)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law enforcement remain and some enforcement information is not available.

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor	Enforce child labor laws and refer victims to appropriate social services.(2)
Royal Police Force	Make criminal arrests, including those involving the worst forms of child labor; specifically address human trafficking through the Anti-Trafficking in Persons Unit (ATIPU); and refer victims to appropriate social services and fund financial requests made by the ATIPU.(2, 19)
Ministry of Social Development	Maintain Child Protection Unit, which includes Child Protection Officers who report cases of child abuse.(7)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Saint Vincent and the Grenadines took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown* (8)	\$421,308 (3)
Number of Labor Inspectors	5 (8)	4 (3)
Inspectorate Authorized to Assess Penalties	No (20)	No (3)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	N/A
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (21)	Yes (12)
Number of Labor Inspections	Unknown	Unknown
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	0 (8)	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	N/A
Number of Penalties Imposed That Were Collected	N/A	N/A
Routine Inspections Conducted	Yes (8)	Yes (3)
Routine Inspections Targeted	No (8)	Unknown
Unannounced Inspections Permitted	Yes (8)	Yes (3)
Unannounced Inspections Conducted	Yes (8)	Yes (3)
Complaint Mechanism Exists	Yes (8)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (3)

*The Government does not publish this information.

A lack of adequate resources, such as computers and training, hamper the labor inspectorate's enforcement of child labor laws.(3, 19)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Saint Vincent and the Grenadines took actions to combat child labor, including its worst forms (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (21)	N/A
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (8)	Yes (3)
Number of Investigations	3 (21)	0 (3)
Number of Violations Found	1 (21)	0 (3)
Number of Prosecutions Initiated	1 (21)	0 (3)

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor (cont)

Overview of Criminal Law Enforcement	2015	2016
Number of Convictions	0 (21)	0 (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (3)

In 2016, the Government trained law enforcement officers and 90 percent of its overseas diplomatic and consular staff on how to combat human trafficking.(20) The Government also provided training to faith-based organizations and NGOs on human trafficking.(20)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Task Force Against Trafficking in Persons	Develop a national plan to address human trafficking, coordinate the collection of data among government agencies, establish policies to enable government agencies to work with NGOs to prevent human trafficking and assist victims, and provide training to all relevant government officials and authority figures. Chaired by the Prime Minister.(2, 14, 22) Comprises representatives of the Police, Immigration, Public Prosecutions, Social Services, Gender Affairs, and the Labor Department.(12)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including all its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plan of Action Against Trafficking in Persons (2016–2018)†	Establishes procedures to eradicate human trafficking. Administered by the National Task Force Against Human Trafficking in Persons, which is chaired by the Prime Minister.(8) In 2016, the Government of Saint Vincent and the Grenadines and the International Organization for Migration (IOM) conducted a Baseline Assessment to determine the capacity building and institutional strengthening necessary to combat human trafficking.(19)

† Policy was approved during the reporting period.

Although the Government adopted the National Plan of Action Against Trafficking in Persons, the Plan does not articulate tasks to achieve its goals, identify stakeholders' involvement, or establish estimated timeframes for execution.(19) Additionally, there is no evidence of policies on other worst forms of child labor.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that may contribute to the prevention or elimination of child labor (Table 10).

Table 10. Key Social Programs to Address Child Labor†

Program	Description
Government-funded educational programs‡	In 2016, the Government expanded the Supplementary Feeding Program, which provides free meals to students from low-income families(23, 24), and continued to fund other programs such as the Book Loan Program (6, 21); the Street Children Rehabilitation Program (6, 23); and the Foster Care Program(7).
Zero Hunger Trust Fund*†	Provides meals, materials and uniforms to children in need.(3)

* Program was launched during the reporting period.

† Program is funded by the Government of Saint Vincent and the Grenadines.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms. (6, 12, 23, 25-27)

In 2016, the Government trained 454 students and 44 teachers on human trafficking issues, and conducted presentations on child trafficking and child labor.(12)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Saint Vincent and the Grenadines (Table11).

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Table 11. Suggested Government Actions to Eliminate Child Labor, Including Its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the minimum age for hazardous work is 18.	2009 – 2016
	Ensure that laws prohibit using, procuring or offering of a child for the production of illicit drugs.	2011 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 into non-state armed groups.	2016
Enforcement	Publish information regarding the number of labor inspections conducted, including the number of inspections conducted at worksites and by desk reviews.	2014 – 2016
	Authorize the labor inspectorate to assess penalties for labor law violations	2016
	Strengthen the labor inspectorate by providing sufficient resources, including training, to conduct labor inspections.	2015 – 2016
	Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2015 – 2016
Government Policies	Define and assign tasks, stakeholder involvement, and execution of deliverables under the National Plan to Combat Human Trafficking.	2016
	Adopt a policy that addresses all worst forms of child labor, including commercial sexual exploitation.	2009 – 2016

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In 2016, Samoa made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government ratified two United Nations optional protocols on child labor and increased funding for the Samoa School Fee Relief Grant Scheme to enhance access to basic education for all children. In addition, the Ministry of Commerce, Industry, and Labor endorsed the findings of a study that provides information on children working on the streets in Apia, Samoa. However, children in Samoa perform dangerous tasks in street vending. The Government lacks a mechanism to coordinate interagency efforts to address child labor, and Samoan laws do not comprehensively specify the types of hazardous work prohibited for children.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Samoa perform dangerous tasks in street vending.(1-4) Table 1 provides key indicators on children’s work and education in Samoa. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		103.5

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(5)
Data were unavailable from Understanding Children’s Work Project’s analysis, 2016.(6)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Gathering coconuts, fruit, and nuts (7, 8)
	Tending domestic animals (7, 8)
Services	Domestic work (7, 8)
	Street vending, including selling food, garlands, and other products (1-4, 8, 9)
	Garbage scavenging (10)

Although the Samoa School Fee Relief Grant Scheme provides 11 years of free education, hidden school-related costs, such as registration fees, uniforms, meals, and transportation, make it challenging for some children to access education.(11, 12)



II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Samoa has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓

Table 3. Ratification of International Conventions on Child Labor (cont)

	Convention	Ratification
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Samoa's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 51 of the Labour and Employment Relations Act (13)
Minimum Age for Hazardous Work	Yes	18	Article 51 of the Labour and Employment Relations Act (13)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 51 of the Labour and Employment Relations Act; Article 21 of the Labour and Employment Relations Regulations (13, 14)
Prohibition of Forced Labor	Yes		Article 8 of the Constitution; Article 18 of the Labour and Employment Relations Act; Sections 155–157 of the Crimes Act (13, 15, 16)
Prohibition of Child Trafficking	Yes		Sections 155-157 of the Crimes Act (16)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 73-74, 82, and 157 of the Crimes Act (16)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Military Recruitment			
State Compulsory	N/A†		
State Voluntary	N/A†		
Non-state Compulsory	No	15	Article 8 of the International Criminal Court Act (17)
Compulsory Education Age	No	14‡	Article 4 of the Education Act (18)
Free Public Education	No		

† No standing military (19)

‡ Age calculated based on available information

In 2016, Samoa acceded to the UN CRC Optional Protocol on Armed Conflict and the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.(20, 21)

Samoa law prohibits certain hazardous activities, such as operating heavy machinery; however, street vending, an activity in which children are known to work long hours and into the night, is not prohibited for children under age 18.(22) In addition, the law allows children ages 12 through 14 to engage in light work for a limited number of hours, but it does not specify the conditions under which light work may be undertaken, nor does it define the activities that are permitted, as called for under international standards. In 2016, the Ministry of Commerce, Industry, and Labor continued finalizing a more comprehensive list of hazardous work and a list of allowable forms of light work, but this legislation was not approved during the reporting period.(23) Research also found no evidence of laws that ban the use, procuring, or offering of a child for illicit activities, including for the production and trafficking of drugs. Although the International Criminal Court Act prohibits recruiting children ages 14 and under into non-state armed groups, the law does not apply to children ages 15 to 18.(17)

The Education Act requires that children attend school from ages 5 to 14 or until they have completed the work of year eight.(18) This standard leaves children, who have completed their education requirement but are not yet legally permitted to work, vulnerable to involvement in the worst forms of child labor.(24) Although Samoan laws do not mandate free public education, there is a policy that sufficiently provides this service.(25)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Commerce, Industry, and Labor (MCIL)	Investigate complaints of child labor law violations. Refer cases to the Ministry of Police and the Office of the Attorney General for enforcement.(7)
Ministry of Police	Enforce criminal laws related to child labor.(7)
Office of the Attorney General	Prosecute criminal cases of the worst forms of child labor.(7)
Ministry for Women, Community, and Social Development	Assist in MCIL investigations as needed. Mandated to protect children, including those working on the street.(7, 26)
Ministry of Education, Sports, and Culture	Assist in MCIL investigations as needed.(7, 27)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Samoa took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (22)	Unknown (28)
Number of Labor Inspectors	11 (22)	4 (29)
Inspectorate Authorized to Assess Penalties	No (22)	No (28)
Training for Labor Inspectors		
Initial Training for New Employees	No (22)	No (28)
Training on New Laws Related to Child Labor	No (22)	N/A
Refresher Courses Provided	Yes (22)	Yes (28)
Number of Labor Inspections	361 (22)	125 (29)
Number Conducted at Worksite	194 (22)	125 (29)
Number Conducted by Desk Reviews	167 (22)	125 (29)
Number of Child Labor Violations Found	2 (30)	0 (29)
Number of Child Labor Violations for Which Penalties Were Imposed	2 (30)	0 (29)
Number of Imposed that Were Collected	0 (30)	0 (29)
Routine Inspections Conducted	Yes (22)	Yes (28)
Routine Inspections Targeted	Yes (22)	Yes (28)
Unannounced Inspections Permitted	Yes (22)	Yes (28)
Unannounced Inspections Conducted	Yes (22)	Yes (28)
Complaint Mechanism Exists	Yes (22)	Yes (28)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (22)	No (28)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Samoa took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (30)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Unknown
Refresher Courses Provided	Yes (30)	Unknown
Number of Investigations	17 (30)	0 (31)
Number of Violations Found	Unknown	0 (31)
Number of Prosecutions Initiated	Unknown	0 (31)
Number of Convictions	Unknown	0 (31)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown	Unknown

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established the Samoa Interpol and Transnational Crime Unit to coordinate efforts to monitor human trafficking, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms.(32)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 8).

Table 8. Key Policies Related to Child Labor

Policy	Description
Samoa School Fee Relief Grant Scheme	Provides free public primary and secondary education.(25, 33) In 2016, allocated an additional \$6.5 million to fully fund the policy.(28)

The National Policy for Children in Samoa, which aimed to address the issue of child labor in street vending, expired in 2015 and is currently undergoing review.(11) The Government has not integrated child labor elimination and prevention strategies in the Strategy for the Development of Samoa, the UNDAF Pacific, or the Education Sector Plan.(34-36)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 9).

Table 9. Key Social Programs to Address Child Labor

Program	Description
Samoa Decent Work Country Program (2013–2016)†	ILO and government program that promoted decent work in Samoa. Supported legal reform and improved implementation of laws related to child labor, and promoted access to information and employment services for youth.(37)
Pacific Sub-Regional Child Labor and Trafficking Program	ILO-supported program to address child labor issues through awareness raising, research, and government capacity-building activities.(38, 39) In 2016, finalized the Samoa Rapid Assessment on Children Working on the Streets, which was submitted to the Samoa National Tri-Partite Committee and endorsed by the Ministry of Commerce, Industry, and Labor.(9)

† Program is funded by the Government of Samoa.

Research found no evidence of programs to specifically address child labor in the service sector, especially in street vending.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Samoa (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the types of hazardous work prohibited for children are comprehensive.	2011 – 2016
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2013 – 2016
	Ensure that the law criminally prohibits the use, procuring, or offering of a child for illicit activities, including for the production and trafficking of drugs.	2014 – 2016
	Ensure that the law establishes a compulsory education age that is at least equal to the minimum age for admission to employment.	2014 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
Enforcement	Make information publicly available on law enforcement efforts related to child labor, including the amount of funding for the labor inspectorate and training for criminal investigators.	2013 – 2016
	Institutionalize training for labor inspectors, including by training new labor inspectors.	2015 – 2016
	Authorize the labor inspectorate to assess penalties.	2015 – 2016
	Establish a referral mechanism between labor enforcement authorities and social services providers.	2014 – 2016
Coordination	Establish coordinating mechanisms to combat child labor, including in all of its worst forms.	2009 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into existing key policies.	2012 – 2016
Social Programs	Enhance efforts to make education accessible for all children by fully eliminating school-related costs.	2016
	Institute programs to address child labor in street vending.	2009 – 2016

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In 2016, São Tomé and Príncipe made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government approved a National Action Plan for the Elimination of Child Labor and National Policy on Child Protection. However, children in São Tomé and Príncipe perform dangerous tasks in agriculture. The types of hazardous work prohibited for children are not comprehensive, and the compulsory education age does not extend to the minimum age for work. Inadequate resources hamper law enforcement agencies' capacity to enforce child labor laws.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in São Tomé and Príncipe perform dangerous tasks in agriculture.(1)
Table 1 provides key indicators on children's work and education in São Tomé and Príncipe.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	22.6
Attending School (%)	5 to 14	89.2
Combining Work and School (%)	7 to 14	24.9
Primary Completion Rate (%)		82.9



*Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2016.(2)
Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 5, 2014.(3)*

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.



Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including weeding, fertilizing, and spraying plants (1, 4)
	Line and hook fishing (1)
Industry	Carpentry and woodworking (5)
	Construction (1)
Services	Domestic work (6)
	Working in shops and offices (1, 4)
	Working in restaurants and bars (1)
	Street work, including begging and selling goods (1, 5-7)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

São Tomé and Príncipe has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	

São Tomé and Príncipe

MINIMAL ADVANCEMENT

Table 3. Ratification of International Conventions on Child Labor (cont)

Convention	Ratification
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in São Tomé and Príncipe’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	14	Article 128 of the Legal Regime of Individual Employment Conditions (8)
Minimum Age for Hazardous Work	Yes	18	Article 129 of the Legal Regime of Individual Employment Conditions (8)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 129 and 134 of the Legal Regime of Individual Employment Conditions (8)
Prohibition of Forced Labor	Yes		Articles 159, 160, and 181 of the Penal Code (9)
Prohibition of Child Trafficking	Yes		Articles 160 and 181 of the Penal Code (9)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 179–182 of the Penal Code (9)
Prohibition of Using Children in Illicit Activities	Yes		Articles 279, 280, and 289 of the Penal Code (9)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Article 1 of Decree-Law 3/83 (10)
State Voluntary	Yes	17	Legislation title unknown (11, 12)
Non-state Compulsory	No		
Compulsory Education Age	No	12 [‡]	Article 6(1) of the Basic Education System Law (13, 14)
Free Public Education	Yes		Article 6(1) of the Basic Education System Law (14)

[‡] Age calculated based on available information

The law’s minimum age protections do not apply to children working outside of a formal labor relationship, such as children who are self-employed.(8, 13)

The law prohibits children under age 18 from engaging in heavy work carried out in unhealthy or dangerous conditions. It also prohibits underground and night work; however, the types of hazardous work prohibited for children do not cover agriculture, an area of work where there is evidence of exposure to hazardous substances, agents, and processes.(8)The gap between the end of compulsory education and the minimum age for work leaves children ages 12 and 13 vulnerable to child labor, including its worst forms, because they are not in school, but they also may not legally work.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Affairs	Enforce labor laws, including child labor.(15)
Ministry of Justice and Human Rights	Enforce criminal laws against the worst forms of child labor.(15)

Labor Law Enforcement

In 2016, labor law enforcement agencies in São Tomé and Príncipe took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	13 (4)	13 (15)
Inspectorate Authorized to Assess Penalties	No (4)	No (15)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	N/A (15)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (4)	No (15)
Number of Labor Inspections	70 (4)	65 (15)
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	Unknown	0 (15)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (4)	0 (15)
Number of Penalties Imposed that Were Collected	N/A	N/A
Routine Inspections Conducted	Yes (4)	Yes (15)
Routine Inspections Targeted	Unknown	Unknown
Unannounced Inspections Permitted	Yes (4)	Yes (15)
Unannounced Inspections Conducted	Unknown	Unknown
Complaint Mechanism Exists	Yes (4)	Yes (15)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (4)	Yes (15)

In 2016, enforcement of child labor laws was limited due to the lack of resources for inspections.(15)

Children found by the Department of Labor Inspection are referred to the Department of Social Protection in the Ministry of Labor and Social Affairs for counseling and integration services.(15, 16)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in São Tomé and Príncipe took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Yes (17)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Unknown	Unknown
Number of Investigations	1 (4)	1 (15)
Number of Violations Found	Unknown	0 (15)
Number of Prosecutions Initiated	0 (4)	0 (15)
Number of Convictions	0 (4)	0 (15)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (4)	Yes (15)

Children found by Ministry of Justice and Human Rights officials are also referred to the Department of Social Protection in the Ministry of Labor and Social Affairs for counseling and integration services.(15, 16)

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IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Anti-Child Labor Committee	Lead efforts to eliminate the worst forms of child labor.(18) Led by the Ministry of Labor and Social Affairs.(17) In 2016, conducted child labor awareness campaigns in two targeted districts.(15)
Department of Social Protection and Solidarity, Ministry of Labor and Social Affairs	Carry out support programs for families to ensure that children attend school. Administer the Social Integration Assistance program, which provides funds to the Disadvantaged Mothers program (<i>Mães Carenciadas</i>). (19)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan for the Elimination of Child Labor†	Guides the Government's efforts to combat child labor.(15)
National Policy on Child Protection†	Defines the framework for carrying out efforts to prevent all forms of violence against children.(20)
National Poverty Reduction Strategy (2012–2016)	Outlines social protection strategies to combat the worst forms of child labor. Aims to ensure that all children complete basic education by 2016.(21)

† Policy was approved during the reporting period.

Research was unable to determine whether activities were undertaken to implement the National Poverty Reduction Strategy during the reporting period.(17)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Decent Work Country Program (2013–2016)	Government program in collaboration with the ILO that aims to eliminate the worst forms of child labor through legislative action and strategic programs.(22)
Support Centers†	Three Government-funded centers, run by NGOs, operate in areas with high concentrations of poor families, orphans, and street children. Provide household stipends to keep children in school and teach income-generating skills.(15, 23)
Disadvantaged Mothers Program (<i>Mães Carenciadas</i>)†	Government program that provides funds to female-led households to encourage basic education for children. Scholarships are given to children from low-income households to assist in continuing their studies.(19)

† Program is funded by the Government of São Tomé and Príncipe.

Research found no evidence of programs designed to specifically address children engaged in agriculture.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in São Tomé and Príncipe (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography.	2014 – 2016
	Ensure that all children are protected by law, including children who are self-employed.	2015 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the types of hazardous work prohibited for children are comprehensive.	2009 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Establish a compulsory education age that is equal to or higher than the minimum age for employment.	2014 – 2016
Enforcement	Publish information regarding the labor inspectorate’s funding, the type of labor inspections conducted, and refresher training for criminal law enforcement officials.	2014 – 2016
	Authorize the inspectorate to assess penalties.	2015 – 2016
	Provide inspectors and investigators with adequate training; equip labor inspectors with the necessary resources to conduct inspections.	2009 – 2016
Government Policies	Ensure the National Poverty Reduction Strategy is implemented.	2016
Social Programs	Implement programs that specifically target children engaged in agriculture.	2010 – 2016

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In 2016, Senegal made a minimal advancement in efforts to eliminate the worst forms of child labor. In June, the Government launched an initiative to remove tailbés from the street and prosecute marabouts that perpetrate crimes against their students; however, no marabouts were prosecuted during the reporting period. Children in Senegal perform dangerous tasks in gold mining. Children also engage in the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking. Criminal and labor law enforcement agencies lack adequate resources to effectively carry out their work, and redundancy among coordinating bodies to combat child labor hinders effective collaboration. Further, types of hazardous work prohibited for children do not include domestic work and street work, areas where there is evidence of harm to children engaged in child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Senegal perform dangerous tasks in gold mining.(1-13) Children in Senegal also engage in the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking. Table 1 provides key indicators on children's work and education in Senegal.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	22.3 (4,255,365)
Attending School (%)	5 to 14	53.0
Combining Work and School (%)	7 to 14	13.9
Primary Completion Rate (%)		57.2

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(14)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Demographic and Health Survey, 2015.(15)

Data on working children, school attendance, and children combining work and school are not comparable with data published in the previous version of this report because of differences between surveys used to collect the data.

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Herding cattle (16-18)
	Fishing, activities unknown (16-18)
	Farming, including the production of cotton, rice, peanuts, and mangoes (2, 7, 17-19)
Industry	Washing ore, crushing rocks, and carrying heavy loads† while mining gold, iron, and salt, and quarrying rock (4, 17-23)
	Welding and auto repair (17-19)
Services	Domestic work (2, 4, 11, 17-19, 24)
	Street work, including vending (2, 18, 25)
Categorical Worst Forms of Child Labor‡	Forced domestic work, gold mining, fishing, and farming, each sometimes as a result of human trafficking (7, 10, 11, 22, 26, 27)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2, 10, 11, 23, 28)
	Forced begging, sometimes as a result of human trafficking (1, 2, 4-13, 17-19, 26, 27, 29)
	Forced labor in garbage collection (30)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Senegalese boys and girls are subjected to domestic servitude, forced labor in gold mines, and sex trafficking. Internal trafficking is more prevalent than transnational trafficking.(11, 26, 27) In Senegal, it is a traditional practice to send boys to Koranic schools, called *daaras*, for education. However, instead of receiving an education, many students, known as *talibés*, are forced to beg by their teachers, known as *marabouts*.(8, 12, 27, 31-34) The *marabouts* take the *talibés*' earnings and often beat those who fail to meet the daily quota.(4, 8, 9, 13, 31, 33, 34) The *talibés* often live in overcrowded, unsanitary conditions, receive inadequate food and medical care, and are vulnerable to physical and sexual abuse.(8, 9, 12, 30, 34, 35) They typically come from rural areas in Senegal and from neighboring countries, sometimes as a result of human trafficking.(8, 9, 32, 34, 36, 37) In June 2016, President Macky Sall announced and launched an initiative to remove *talibés* from the street and prosecute *marabouts* that perpetrate crimes against their students; however, in 2016, no *marabouts* were prosecuted. As of November, the Government conducted 57 operations, removing 1,186 children from the streets and reuniting 1,086 of them with their families, although some of these children were eventually returned by their parents to *daaras*.(18, 38-41) A 2014 *daara*-mapping study estimated that 30,000 of the estimated 54,800 *talibés* in Dakar are forced to beg, and a 2016 study found that 9,000 of the estimated 14,000 *talibés* in the St. Louis department are also forced to beg.(18, 38-47)

A variety of factors remain as barriers to education, forcing some students to quit school. These barriers include school-related fees, a lack of birth registration documents, a lack of teachers and rural schools. Some girls reportedly quit school due to sexual harassment, including by teachers, and as a result of early pregnancy.(2, 10, 17, 45, 48, 49)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Senegal has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Senegal's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article L. 145 of the Labor Code; Article 6 of the Decree Establishing the Scale of Penalties for Violations of the Labor Code and Associated Rules for Application (50, 51)
Minimum Age for Hazardous Work	Yes	18	Article 1 of the Ministerial Order Determining and Prohibiting the Worst Forms of Child Labor; Article 1 of the Ministerial Order Determining the Types of Hazardous Work Prohibited for Children and Youth; Article 1 of the Ministerial Order Determining the Categories of Business and Work Prohibited to Children and Youth (52-54)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 2 of the Ministerial Order Determining and Prohibiting the Worst Forms of Child Labor; Article 2 of the Ministerial Order Determining the Types of Hazardous Work Prohibited to Children and Youth; Article 2 of the Ministerial Order Determining the Categories of Business and Work Prohibited to Children and Youth (52-54)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Forced Labor	Yes		Article L. 4 of the Labor Code; Article 2 of the Ministerial Order Determining and Prohibiting the Worst Forms of Child Labor; Article 1 of the Law Concerning the Fight Against Trafficking in Persons and Similar Practices and the Protection of Victims (50, 54, 55)
Prohibition of Child Trafficking	Yes		Article 1 of the Law Concerning the Fight Against Trafficking in Persons and Similar Practices and the Protection of Victims (55)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 2 of the Ministerial Order Determining and Prohibiting the Worst Forms of Child Labor; Articles 323 and 324 of the Penal Code (52, 56)
Prohibition of Using Children in Illicit Activities	Yes		Article 2 of the Ministerial Order Determining and Prohibiting the Worst Forms of Child Labor (54)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 19 of Law N° 2008-28 (57, 58)
Non-state Compulsory	No		
Compulsory Education Age	Yes	16	Article 3 of Law N° 2004-37 (59)
Free Public Education	Yes	18	Article 3 of Law N° 2004-37; Articles 21 and 22 of the Constitution (59, 60)

* No conscription (18)

A revision of the Labor Code that is still under consideration by the National Assembly includes an amendment to raise the minimum age of work from age 15 to age 16 and to establish harsher penalties for subjecting children to the worst forms of child labor.(58, 61) Further, a law was drafted in 2013 to improve the regulation of *daaras* as part of the voluntary Daara Modernization Program, which would require participating schools to submit to state inspections, adhere to a basic education curriculum, and, as a condition for receiving subsidies, formally halt the practice of forced begging; however, the impact of this measure on forced child begging remains uncertain due to its voluntary implementation.(9, 11, 30, 34, 40, 41, 62, 63) Legislation is also pending to establish a Children’s Ombudsman and a Children’s Code.(47) Government officials, the UNODC, UNICEF, and local NGOs have stated that these measures may not be severe enough to deter employers from exploiting children, particularly because the penalties are rarely enforced.(3) Further, the types of hazardous work prohibited for children do not include domestic work and street work, areas where there is evidence of potential harm to children engaged in child labor. Senegalese law does not criminally prohibit the recruitment of children under 18 into non-state armed groups.(18, 52-54)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Social Dialogue, Professional Organizations, and Institutional Relations (MOL)	Enforce child labor laws through the Labor Inspections Office and by using social security inspectors.(3, 64)
Ministry of Justice (MOJ)	Enforce all laws, including those on child trafficking and forced labor, and prosecute violations.(19) Train police and judiciary on laws related to human trafficking and forced begging.(9) Through its Department of Correctional Education and Social Protection, help develop draft texts in the field of social protection and juvenile delinquency; strengthen the capacity of stakeholders to care for children; and share responsibility with the Ministry of Women, Family, and Children (MWFC) to provide services to vulnerable children.(29, 63, 65, 66)

Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Ministry of the Interior and Public Security	Oversee all law enforcement agencies, including the local and national police officials who intervene in cases of human trafficking, and arrest perpetrators of the worst forms of child labor. Refer cases to social services providers.(19, 26, 58, 67) House the Children's Unit, located in Dakar, which employs three officers who specialize in child protection, victim identification, and reinsertion.(26, 29, 58) Through its Children's Unit, receive assistance from the Vice Squad in child protection cases.(68)
Ministry of Women, Family, and Children (MWFC)	Contribute to the creation and implementation of child protection policies, and provide services to victims of exploitative child labor.(69) Operate the Ginddi center for vulnerable children and a toll-free child protection hotline through which the public can report child labor abuses.(29, 30)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Senegal took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$90,000 (19)	\$143,000 (18)
Number of Labor Inspectors	90 (19)	99 (18)
Number of Child Labor Dedicated Inspectors		2 (18)
Inspectorate Authorized to Assess Penalties	Yes (19)	Yes (18)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (19)	Yes (18)
Training on New Laws Related to Child Labor	Yes (19)	N/A (18)
Refresher Courses Provided	Yes (19)	No (41)
Number of Labor Inspections	Unknown	1,931 (41)
Number Conducted at Worksite	Unknown	1,931 (18)
Number Conducted by Desk Reviews	Unknown	0 (18)
Number of Child Labor Violations Found	Unknown (19)	Unknown (18)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (19)	Unknown (18)
Number of Penalties Imposed that Were Collected	Unknown (19)	0 (18)
Routine Inspections Conducted	No (19)	Yes (18)
Routine Inspections Targeted	N/A (19)	Yes (18)
Unannounced Inspections Permitted	Yes (19, 50)	Yes (18)
Unannounced Inspections Conducted	Yes (19)	Yes (18)
Complaint Mechanism Exists	Yes (70)	No (41)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (66)	No (18)

All new labor inspectors are trained at the National Administration School, which includes a module on the worst forms of child labor and a consultation with members of the National Committee Against Child Labor.(19, 26) All regional inspectorates also receive yearly refresher training from the Ministry of Labor, Social Dialogue, Professional Organizations, and Institutional Relations (MOL) Directorate General of Labor and Social Security.(19) The number of labor inspectors is insufficient for the size of Senegal's workforce, which includes over 6 million workers. According to the ILO's recommendation of 1 inspector for every 40,000 workers in less developed economies, Senegal should employ roughly 158 inspectors. The MOL acknowledged that the current number of labor inspectors is insufficient; it also noted that a high turnover rate and significant reduction in its funding level had further hindered the labor inspectorate's capacity to enforce child labor laws.(18, 19, 71)

Research indicates that the lack of enforcement in the informal sector, in which most children are employed, hampers the labor inspectorate's enforcement of child labor laws.(11, 19, 45, 64) Although Article L. 241 of the Labor Code grants inspectors the authority to assess penalties for all offenses, they typically do so only for minor offenses and refer the more serious infractions to the courts for determination of penalties.(19, 50, 61) Courts may require violations to be resolved through conciliation at the labor inspectorate or refer cases to a tribunal for judgment.(19) During the reporting period, the

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Ginddi Center's child protection hotline was operational; however, the total number of calls was unknown. Furthermore, it is not clear how many cases of child labor were identified as a result of these calls.(11)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Senegal took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (19)	Yes (18)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (19)	N/A (18)
Refresher Courses Provided	Yes (19, 26, 72)	No (18)
Number of Investigations	Unknown (19)	Unknown (18)
Number of Violations Found	14 (19)	Unknown (18)
Number of Prosecutions Initiated	1 (9)	Unknown (18)
Number of Convictions	1 (9, 26)	Unknown (18)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (19)	No (18)

The entities responsible for enforcing laws against the worst forms of child labor are primarily concentrated in Dakar and Thiès, so enforcement is limited outside of the capital.(9, 73) Although police stations in Senegal are expected to report cases involving children to the Ministry of the Interior and Public Security's Children's Unit, research found no evidence that this occurs regularly.(68, 73)

The Government reported that existing laws are sufficient to effectively prosecute and punish individuals who use *talibés* for personal profit.(1, 9, 26, 30, 74) However, the courts have had limited success in prosecuting cases related to forced begging, partly due to a perceived lack of political support, cultural norms, and pressure from influential Koranic teachers who support this practice, particularly in rural areas, along with a lack of coordination and resource constraints.(26, 61, 72, 75-77) In addition, police rarely investigated cases of forced begging or brought them to the courts for prosecution.(41) Further, some courts and law enforcement officials are not aware that the Law Concerning the Fight Against Trafficking in Persons, which prohibits forced begging, does not conflict with the Penal Code, which permits begging for religious purposes on specific days.(56, 61, 72)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Committee Against Child Labor	Coordinate initiatives, policies, and partnerships with civil society organizations to address child labor, including the National Action Plan on the Prevention and Abolition of Child Labor in Senegal (PCNPETE). Chaired by the MOL and includes representatives from three ministries, the police, and elected officials.(26, 78-80)
Inter-Ministerial Commission	Coordinate implementation of the National Strategy on Child Protection and its related action plan.(3)
National Task Force Against Trafficking in Persons (CNLTP)	Report on human trafficking in Senegal, with a focus on women and children; coordinate the implementation of the National Action Plan on Combating Trafficking in Persons and other efforts to prevent human trafficking; prosecute perpetrators; and protect victims.(58, 63, 81-83) Chaired by the MOJ and employs five staff members.(9, 26, 63)
Office of the President's Childhood Protection Unit	Coordinate government efforts related to child protection, including through the implementation of the National Strategy on Child Protection.(63, 84) Reports directly to the President of Senegal.(68, 84) Contribute to the creation and implementation of child protection policies, and develop a national system for collecting and disseminating data about vulnerable children. Advocate on behalf of all entities working on issues related to child begging, violence against children, and child labor.(84)

Funding for the National Task Force Against Trafficking in Persons and a lack of support from all levels of the Government remained unresolved. Redundancy among the activities of the coordinating bodies also creates confusion and obstructs effective collaboration and implementation of efforts.(26, 27, 41, 58, 67, 80)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
National Action Plan on the Prevention and Abolition of Child Labor in Senegal (2012–2016)	Aims to raise awareness of child labor issues; reinforce the capacity of law enforcement officials and civil society organizations; increase educational and training opportunities for youth; and improve the legal framework on child labor, including its worst forms.(1, 16, 25, 85-87) In 2016, research was unable to determine whether any actions were undertaken.(41)
National Strategy on Child Protection	Aims to establish an integrated national social protection system and specifically identifying the issue of child begging through an action plan with a recommended budget of \$18 million.(16, 30) Implemented through Child Protection Committees (CDPEs), currently established in 24 prefectures, which refer victims to social services, assist law enforcement with reintegrating child trafficking victims.(16, 26, 29) In 2016, the Government maintained 40 CDPEs.(40)
National Action Plan to Combat Trafficking in Human Beings (2015–2017)	Aims to strengthen the legal framework to prevent human trafficking, build capacity by training enforcement officials and working with religious leaders, provide protection and judicial remediation for victims, and improve monitoring and evaluation of the National Action Plan.(26, 88) Implemented by the CNLTP.(28) In 2016, the Partnership for the Rescue and Rehabilitation of Street Children and the National Framework Plan for the Eradication of Child Begging were merged into this plan.(1, 16, 29, 30, 41, 74, 83)

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(26)

The Government has not included child labor elimination and prevention strategies in both the *Plan Sénégal Emergent* and the Program to Improve the Quality, Equality, and Transparency of the Education Sector (2013–2025).

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
Project to Fight Against Trafficking and the Worst Forms of Child Labor (2013–2019) [†]	MWFC program that aims to raise awareness about forced begging and assist victims of child labor.(29, 36) During the reporting period, the program was renewed until 2019.(41)
National Program of Family Assistance Bursaries (2013–2017) [†]	Part of PCNPETE, a social safety net program that provides conditional cash transfers to vulnerable families who keep their children in school.(19, 25, 83, 89-92) In 2016, research indicated that the program continued activities.(41)
<i>Daara</i> Modernization Program [†]	\$18.5 million Government-funded voluntary program implemented by Tostan and La Rencontre <i>Africaine pour la Défense des Droits d'Homme</i> (RADDHO) that aims to regulate, inspect, and fund <i>daaras</i> and eliminate forced begging.(41, 93, 94) A mapping of <i>daaras</i> in the Dakar region in 2014 registered 1,006 <i>daaras</i> with 54,837 <i>talibés</i> , including 38,079 boys and 16,758 girls.(46) A mapping of Senegal's northern Saint-Louis department in 2016 counted more than 200 <i>daaras</i> and 14,000 <i>talibés</i> , with more than 9,000 children compelled to beg.(47) The Ministry of Education signed an accord with the Senegalese Association of Koranic Schools to rehabilitate and equip 90 <i>daaras</i> ; its Funds for Koranic Schools program also developed a secular curriculum and works with religious institutions to remove children from street begging and exploitative situations.(29, 64) In 2016, a legal framework was established and the Islamic Development Bank pledged funds.(41)
Ginddi Center [†]	The MWFC-run shelter serves abused and vulnerable children, including runaway <i>talibés</i> , street children, and child trafficking victims.(5, 29, 30, 64, 65, 67) Provides food, education, vocational training, family mediation, and medical and psychological care.(5, 26, 65, 67) In 2016, research indicated that the center continued activities.(41)
Government of Senegal-funded centers to address child trafficking [†]	The MOJ runs transit houses in Dakar, Pikine, and Saint-Louis that provide monitoring, education, and rehabilitation and reintegration services for victims of child trafficking.(26) In 2016, research indicated that the centers continued activities.(41)

[†] Program is funded by the Government of Senegal.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(18)

Senegal

MINIMAL ADVANCEMENT

Although the Government of Senegal has implemented programs to address child trafficking and forced begging, research found no evidence that the Government has carried out programs to assist children in domestic work, agriculture, or mining. (10, 19, 30, 67, 86)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Senegal (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that penalties for child labor violations, including the worst forms, are stringent enough to serve as a deterrent.	2014 – 2016
	Ensure that the types of hazardous work prohibited for children are comprehensive.	2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
Enforcement	Publish information on labor law enforcement efforts related to child labor, including the number of violations found and penalties imposed.	2013 – 2016
	Increase the number of labor inspectors responsible for enforcing laws related to child labor to meet the ILO recommendation, and ensure adequate labor inspectorate funding.	2010 – 2016
	Strengthen the labor inspectorate by proactively planning labor inspections, including in the informal economy.	2014 – 2016
	Ensure that law enforcement officials and judges know how to appropriately apply the Law Concerning the Fight Against Trafficking in Persons, and that all penalties are applied according to the law, including those against forced begging.	2010 – 2016
	Establish a mechanism to log all calls to the MWFC child protection hotline and track cases of child labor for referral to law enforcement or social services providers.	2014 – 2016
	Ensure that criminal law investigators and labor inspectors receive refresher training on laws related to the worst forms of child labor.	2016
	Establish a formal and reciprocal referral mechanism between labor law enforcement and criminal law enforcement agencies and social services.	2016
	Publish information on the criminal enforcement of child labor laws, including the number of investigations, violations found, prosecutions initiated, and convictions.	2016
Coordination	Ensure the effectiveness of coordinating mechanisms on child labor by providing adequate resources, support, and distinct scopes of responsibility.	2010 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into the Plan Sénégal Emergent and the Program to Improve the Quality, Equality, and Transparency of the Education Sector.	2013 – 2016
	Take steps to implement National Action Plan on the Prevention and Abolition of Child Labor in Senegal (PCNPETE).	2016
Social Programs	Ensure that all children have access to education by eliminating school-related fees, building schools in rural areas, training additional teachers, ensuring that all children have access to birth registration, and ensuring that schools are free from sexual abuse.	2011 – 2016
	Institute programs to address child labor in domestic work, agriculture, and mining, and ensure that adequate funding is available to support existing programs targeting the worst forms of child labor, including forced begging.	2010 – 2016

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Serbia

MODERATE ADVANCEMENT

In 2016, Serbia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted the National Strategy for Roma Inclusion with the goal to improve the status of the Roma population in Serbia, including enrollment of Roma children in preschool. The Standard Operating Procedures for immigrant and migrant children were implemented, which aid in the identification of children at risk of being trafficked, disabled children, and girls. The Government also passed the Development Partnership Framework to promote inclusive education, especially for vulnerable populations and strengthening social welfare for families. However, children in Serbia still perform dangerous tasks in street work. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. The Government lacks a national policy to combat child labor and both the Council for Combating Trafficking in Human Beings and the National Council for Children's Rights did not meet during the reporting period.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Serbia perform dangerous tasks in street work. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking.(1-5) Table 1 provides key indicators on children's work and education in Serbia.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	15.1 (725,227)
Attending School (%)	5 to 14	97.7
Combining Work and School (%)	7 to 14	17.4
Primary Completion Rate (%)		101.0

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 5, 2014.(7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, activities unknown (8)
Industry	Manufacturing, activities unknown (9)
	Construction, activities unknown (9)
	Mining and quarrying (9)
Services	Street work, including washing cars, collecting scrap material, vending, and begging (3, 10-13)
	Wholesale and retail trade (9)
	Repairing motor vehicles (9)
	Working in food service, information and communication, and transportation and storage (9)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (1-5, 11, 12, 14, 15)
	Forced begging, sometimes as a result of human trafficking (2-5, 12, 14)
	Use in the production of pornography as a result of human trafficking (1, 12)
	Domestic work as a result of human trafficking (2, 5)
	Use in illicit activities, including in petty crime (2-5, 12)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.

Serbia lacks recent, comprehensive data on the nature and extent of child labor in the country. Children from Serbia, particularly those from Roma communities, were trafficked internally to engage in the worst forms of child labor, including commercial sexual exploitation.(5) Child trafficking victims, especially girls, Roma children, and children from low-income families in rural communities, are most vulnerable to child labor.(3, 16)

Asylum seekers and grantees are allowed to access free primary and secondary education in Serbia, however, migrant children who are not registered in the Serbian asylum system do not have access to the formal education system.(3, 17) Unaccompanied children and those of migrant and asylum-seeking families from Afghanistan, Syria, Cameroon, Pakistan, and Nepal are vulnerable to trafficking for labor and sexual exploitation, particularly if they are not enrolled in school.(3, 12, 18, 19) Social programs assisted with educational plans for migrant children, but those in asylum centers remain without access to national education.(17, 20)




Birth certification is required for attending school in Serbia. Some Roma children experience challenges in attaining birth registration, which makes school enrollment difficult.(13, 21, 22) This increases their vulnerability to engage in child labor. Although the Government has instituted a program to increase the attendance of Roma children in preschool, economic hardship, ethnic discrimination, language barriers, and placement in special, non-mainstream schools sometimes discourage some children from attending school, especially some Romani girls.(13, 21, 22) An informal technical working group exists to streamline complex registration procedures for undocumented minorities, including the registration of children of unregistered parents.(17) Government officials indicate that, as a result of these efforts, the number of undocumented individuals in Serbia decreased from 6,500 to 400 persons, including children.(17) Training for judges, registrars, social workers, and other officials who needed to implement the revised procedures was concluded in November 2016.(17)

Constitutional and legal protections prohibit discrimination in education against individuals with disabilities.(21-24) However, some individuals with disabilities, especially Roma children, sometimes faced difficulty accessing education, partly due to deeply entrenched social prejudices.(22, 25)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Serbia has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Serbia's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 24 of the Labor Law; Article 66 of the Constitution (23, 26)
Minimum Age for Hazardous Work	Yes	18	Article 25 of the Labor Law; Article 66 of the Constitution (23, 26)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 25, 84, and 87–88 of the Labor Law (26)
Prohibition of Forced Labor	Yes		Article 26 of the Constitution (23)
Prohibition of Child Trafficking	Yes		Article 388 of the Criminal Code; Article 26 of the Constitution (23, 27)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 112 and 183–185 of the Criminal Code (27)
Prohibition of Using Children in Illicit Activities	Yes		Article 388 of the Criminal Code (27)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		Article 4 of the Law on Military, Labor, and Material Obligation (28)
State Voluntary	Yes	18	Article 39 of the Law on the Army (29)
Non-state Compulsory	Yes	18	Article 4 of the Law on the Ratification of the Optional Protocol Involvement of Children in Armed Conflict (30)
Compulsory Education Age	Yes	15 [‡]	Article 71 of the Constitution; Articles 94 and 98 of the Law on the Foundations of the Education System (23, 31)
Free Public Education	Yes		Article 71 of the Constitution; Article 91 of the Law on the Foundations of the Education System (23, 31)

* No conscription (28, 32)

‡ Age calculated based on available information (23, 31)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Employment, Veteran, and Social Affairs	Inspect businesses, receive and investigate complaints through the Inspectorate.(33) Through the Center for Human Trafficking Victims' Protection (CPTV) identify and rescue child trafficking victims and potential victims, conduct needs assessments, and refer victims to social services. Maintain records on beneficiaries, and contribute to trafficking research projects.(2) Includes the Agency for Coordination of Protection of Trafficking Victims and the Urgent Reception Shelter for Trafficking Victims.(3)
Ministry of the Interior (MOI)	Enforce laws prohibiting commercial sexual exploitation and human trafficking through the Organized Crime Police and Border Police Force. Oversee the General Police Directorate, which consists of 27 local police directorates with dedicated anti-trafficking units.(2, 34, 35) In 2016, the Law on Police shifted the role of the Office for Coordination against Trafficking in Persons from the Border Police Department to become part of the Criminal Police Department (of the General Police Directorate).(3, 36)
State Prosecutor's Office	Lead investigations on human trafficking cases and exchange information through a network of 27 local prosecutors and NGOs.(34) Provide financial support to the CPTV.(37)
Parliamentary Committee on Children	Review all draft legislation pertinent to children's rights. Monitor the implementation of the child-related provisions of all laws.(16)
Deputy Ombudsman for Children's Rights, Office of the Protector of Citizens	Monitor and conduct research on the situation of children's rights in Serbia. Produce reports on child begging, promote inclusive education and legal prohibition of corporal punishment, and manage draft laws on children's rights for parliamentary approval.(38)

In 2016, the Center for Human Trafficking Victims' Protections (CPTV) was looking for donors to complete the Urgent Reception Shelter.(3) However, it is unclear when it will be completed. When fully operational, the Urgent Reception Shelter will provide temporary accommodations for child trafficking victims; however, it is not a specialized shelter for children.(2)

NGOs report a lack of coordination between the CPTV and NGOs, especially in the treatment of trafficked children who require unique assistance.(4, 17)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Serbia took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown* (12)	\$2,987,698 (3)
Number of Labor Inspectors	238 (12)	240 (3)
Inspectorate Authorized to Assess Penalties	Yes (12)	Yes (3)
Training for Labor Inspectors		
Initial Training for New Employees	N/A (17)	N/A (17)
Training on New Laws Related to Child Labor	No (2)	N/A (3)
Refresher Courses Provided	No (2)	No (3)
Number of Labor Inspections	55,396 (12)	53,069 (39)
Number Conducted at Worksite	Unknown (12)	Unknown (3)
Number Conducted by Desk Reviews	Unknown (12)	Unknown (3)
Number of Child Labor Violations Found	36 (12)	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown* (12)	N/A
Number of Penalties Imposed that Were Collected	Unknown (12)	N/A
Routine Inspections Conducted	Yes (33)	Yes (3)
Routine Inspections Targeted	Unknown (12)	Yes (3)
Unannounced Inspections Permitted	Unknown (12)	Yes (3)
Unannounced Inspections Conducted	Unknown (12)	Yes (3)
Complaint Mechanism Exists	Yes (33)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (12, 40)	Yes (3)

* The Government does not publish this information.

Labor inspectors are responsible for registered and unregistered entities. If children are identified in situations of exploitative labor, they may be referred to receive social services at a center for social work found in every locality.(12, 35) Although laptops were provided to labor inspectorate offices in order to ease the monitoring of child labor cases, research found that the labor inspectorate generally lacked funding to provide specialized training and the necessary equipment, such as vehicles, to facilitate the enforcement of laws prohibiting child labor.(12, 41, 42) The CPTV now frequently accompanies the Ministry of Labor (MOL) on inspections. Labor inspectors do not have power to fine companies or organizations for violations, but the CPTV provides cross-training to labor inspectors on human trafficking related issues, including child labor.(17)

In 2016, 115 social centers and the MOL formed internal teams for the protection of children with disabilities and street children. These teams accommodate children with homes, food programs, and relocation from harmful family situations.(42) In July 2016, the Ministry of Justice supported 22 additional rehabilitation institutions for children. However, according to the MOL, the social centers are overburdened, with 2,000 employees handling 750,000 cases per year in all categories of social work.(3)

A checklist related to child labor for inspections has been drafted and is pending approval from the Ministry of State Administration and Local Self-Government.(3) In addition, a special protocol for unannounced inspections, which includes questions related to child labor, has been drafted and is pending approval from the relevant authorities.(3)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Serbia took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Unknown
Refresher Courses Provided	Yes (2)	Yes (4)
Number of Investigations	Unknown	Unknown
Number of Violations Found	19 (12)	21 (4)
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	21 (43)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown	Yes (4)

In 2016, a permanent human smuggling task force was created, led by the Organized Prosecutor’s Office.⁽⁴⁾ Human trafficking training is provided as a part of the general police curriculum and is given to law enforcement officials who process immigration cases.⁽⁴⁾ Training on commercial sexual exploitation is only provided to police officers in the capital. In 2016, 88 police officers were trained on trafficking in persons (TIP) identification.⁽⁴⁾

Social Welfare Centers, the primary provider of social services to human trafficking victims, had mandatory involvement in cases of child trafficking victims.⁽²⁾ Both entities worked together to draft a protection plan in consultation with the victim.⁽⁴⁾ However, NGOs reported that CPTVs lacked specialized care and procedures for child victims.^(2, 4, 17)

In addition, criminal law enforcement personnel dedicated the majority of their resources to cases of human smuggling related to the migration crisis, which diminished their ability to investigate and prosecute human trafficking cases.^(2, 4)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Council for Children’s Rights	Coordinate government efforts to address child labor by monitoring and evaluating government activities. The Council includes representatives from international organizations and government ministries. ⁽⁴⁴⁾
National Council for Combating Trafficking in Human Beings	Set government trafficking in persons (TIP) policies and chaired by the MOI. The National Coordinator for Combating Trafficking in Persons acts as the Secretary of the Council and manages the work of the Implementation Team. ⁽²⁾ Members of this team include various ministries. ⁽²⁾
Refugee Partnership Working Groups (RPWGs)	Address refugee protection, shelter, health, food, and community support. Co-chaired by ministries, NGOs, local governments, and international organizations. ⁽²⁰⁾ The RPWG meets on a monthly basis, is the main mechanism for coordination of agencies/NGOs in Serbia, and has three sub-working groups, including a group on child protection. ⁽²⁰⁾

The Government, NGOs, and national shelters implemented the Standard Operating Procedures (SOPs) for immigrant and migrant children in 2016.⁽⁴⁵⁾ SOPs aid in the identification children at risk of being trafficked, while keeping the child’s best interest in mind.^(45, 46)

Although 17 of the 27 police directorates in the country have established teams to combat human trafficking, a source reported that many of these anti-trafficking teams were inactive during the reporting period.^(2, 4) The Council for Children’s Rights (the Council) was also inactive in 2016 and therefore unable to coordinate government efforts to address child labor.⁽³⁾ Although the Council established a working group in November 2014 that would be responsible for developing an action plan to address street begging, this working group did not hold any meetings during the reporting period.^(12, 44)

In 2016, the Office of the National Anti-Trafficking Coordinator promoted anti-trafficking and discouraged demand for products produced by child labor.⁽²⁾ Serbia’s Public Procurement Law allows government institutions to include social responsibility requirements in their tenders, including requiring bidders not to use child labor.

Research found that the National Coordinator for Combating Trafficking in Persons (National Coordinator) was not provided with a budget or a formal work plan in 2016.(4) Although the National Coordinator was active throughout the reporting period, constraints on time and financial resources limited the scope of work. This prevented the National Coordinator from addressing police investigations, prosecutions, and the protection of trafficking victims.(2, 4, 34) In addition, as a Ministry of the Interior (MOI) official, the National Coordinator's independence is limited. The Cabinet of the MOI must provide approval before the National Coordinator can work or meet with non-Serbian government officials or organizations.(2, 4, 34) The National Council for the Fight Against Human Trafficking did not meet in 2016.(4)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Strategy for Roma Inclusion (2016–2025) [†]	Aims to improve the status of Roma population in Serbia in education, including preschool inclusion. Seeks to include representatives from Roma communities in policy implementation.(47)
Anti-Discrimination Strategy and Action Plan (2013–2018)	Seeks to prevent discrimination and improve the situation of children and ethnic minorities, including Roma, refugees, internally displaced children, and victims of human trafficking and commercial sexual exploitation, including those used in the production of pornography.(48) Between 2015 and 2016, trainings were held for government officials, representatives of the Action Plan, and civil society organizations on activity coordination and implementation.(17)
Protocol on Rules and Procedures for the Institutions and Organizations Working with Children Involved in Life and Work on the Streets of Belgrade	Aims to enhance institutional cooperation among the MOI, the Criminal Police Directorate, Communal Police, City Centers for Social Work, the City Secretariat for Education, the City Secretariat for Health, and civil society organizations. Defines street children, worst forms of child labor, useful child work, and child trafficking.(3) Stipulates lead institutions, rules, and procedures for interacting with street children. Save the Children is funding the first round of trainings.(3)
Decree on Dedicated Transfers	Aims to allocate funds to local governments for the development of social services for people with disabilities, including children.(49)
Development Partnership Framework (2016–2020) [†]	Government of Serbia and UN strategic planning document for the achievement of the UN's sustainable development goals, including inclusive education, especially for the most vulnerable, and strengthening social welfare for families.(50)

[†] Policy was approved during the reporting period.

In 2016, the Government continued to draft the National Strategy for Preventing and Combating Trafficking in Persons for 2014–2020 (National Strategy) and its accompanying Action Plan for 2014–2015; however, the National Assembly did not adopt either the National Strategy or the Action Plan in 2016.(2-4, 34, 37, 44) There has not been an up-to-date National Strategy in place since 2011.(12) In addition, research was unable to determine whether activities were undertaken to implement the Decree on Dedicated Transfers during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government of Serbia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
USDOL-Funded Programs	<u>Country Level Engagement and Assistance to Reduce Child Labor (CLEAR)</u> is a USDOL-funded capacity-building project implemented by the ILO in 11 countries to build local and national capacity of the Government to address child labor.(51) In 2016 a roundtable was held with government officials, organizations, and institutions to review and improve recommendations for the child labor laws.(52) Labor inspections targeted to child TIP and training was also conducted.(4) The <u>Global Research on Child Labor Measurement and Policy Development (MAP)</u> is a USDOL-funded, 2-year project implemented by the ILO that aims to increase the knowledge base on child labor in Serbia.(51, 53) For additional information about USDOL's work, please visit our Web site .
Child Allowance Program [†]	Government cash benefits program for poor families, conditional on school enrollment for children ages 7 and older.(38, 54) In 2016, the Government allocated \$23 per child for low income families and \$30 per child for single parents and families with disabled children.(17)

Table 10. Key Social Programs to Address Child Labor* (cont)

Program	Description
Assistance to Roma Children in Education†	Ministry of Education program that seeks to improve the school attendance rate of Roma children. Includes a Serbian language training component to help Roma students integrate into the school environment.(38) In 2016, Government increased efforts to enroll Roma children in primary school, including hiring 191 Roma teaching assistants for kindergartens and primary schools.(17)
Strengthening the Identification and Protection of Victims of Trafficking	Implemented by the IOM, the CPTV, and the MOI, the project contributes to the implementation of the National Anti-Trafficking Strategy by improving mechanisms for the prevention and identification of victims of human trafficking. Establishes general and specific monitoring indicators.(15)

† Program is funded by the Government of Serbia.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(4, 24, 55)

Research was unable to determine whether activities were undertaken to implement Strengthening the Identification and Protection of Victims of Trafficking program.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Serbia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that labor inspectors and criminal investigators have the necessary training, tools, and equipment to conduct thorough investigations on laws related to child labor.	2010 – 2016
	Make information regarding child labor and criminal law enforcement, including the number of criminal law investigations conducted, and the number of criminal prosecutions initiated and convictions, publicly available.	2015 – 2016
	Ensure that staff members at the Center for Human Trafficking Victims' Protection and Social Welfare Centers have sufficient capacity to address the specific needs of child trafficking victims.	2015 – 2016
	Ensure that criminal law enforcement personnel dedicate time and resources to human trafficking cases.	2016
Coordination	Ensure that local teams of police, prosecutors, social workers, health workers, and local NGOs to combat human trafficking are used in the police directorates in which they have been established.	2015 – 2016
	Ensure that coordinating mechanisms to combat child labor, including its worst forms, fulfill their mandate.	2013 – 2016
	Ensure that the National Anti-Trafficking Coordinator has sufficient resources to effectively address coordination with police investigations, prosecutions, and the protection of trafficking victims, and increase the National Anti-Trafficking Coordinator's independence.	2015 – 2016
Government Policies	Adopt a new National Strategy and Action Plan for Preventing and Combating Human Trafficking in Serbia.	2013 – 2016
	Ensure that the Decree on Dedicated Transfers fulfills its mandate.	2016
Social Programs	Conduct comprehensive research to describe the specific work activities carried out by children in the agriculture, industry, and informal sectors to inform policy and program design.	2013 – 2016
	Address barriers to education, including birth registration documentation; access and discrimination for children with disabilities; and access for migrant and minority populations, particularly unaccompanied minors, asylum seekers, and Roma.	2014 – 2016
	Improve methods of educating families about the requirements for proper registration and documentation in order to receive social assistance; ensure that the revised registration procedures are implemented efficiently and properly.	2011 – 2016
	Complete the necessary steps to make the Urgent Reception Center to protect child victims of human trafficking operational and ensure that it is fully funded to carry out its mission.	2013 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Social Programs	Ensure that the Center for Human Trafficking Victims' Protection and Social Welfare Centers have sufficient capacity to address the specialized needs of child trafficking victims.	2015 – 2016
	Ensure that Strengthening the Identification and Protection of Victims of Trafficking fulfills its mandate.	2016

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In 2016, Seychelles made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government employed a sufficient number of labor inspectors to provide adequate coverage of the workforce. However, children in Seychelles engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. The law includes an exception that allows children as young as 15 to perform work normally prohibited to children under 18. The law also fails to ensure that children working under this exception receive adequate training and that the health, safety, and morals of these children are protected in accordance with international standards. In addition, criminal law enforcement agencies and coordinating bodies do not have sufficient resources to adequately implement laws and policies related to the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Seychelles engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking.(1-5) Table 1 provides key indicators on children’s work and education in Seychelles. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	7 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		108.8

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(6)
Data were unavailable from Understanding Children’s Work Project’s analysis, 2016.(7)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (1-4, 8)
	Use in illicit activities, including selling drugs (3, 9)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Children in Seychelles, predominantly girls, are lured by peers, family members, and pimps to engage in commercial sexual exploitation in nightclubs, bars, guesthouses, hotels, and brothels, and on the street. Migrant workers and foreign tourists contribute to the demand for commercial sex, particularly on the main island of Mahé.(1-3, 8) Seychelles has never conducted a national child labor survey; therefore, information about the prevalence of the worst forms of child labor in the country is limited.

Limited evidence suggests that the lack of school infrastructure and limited availability of teachers impede access to education, which may increase the vulnerability of children to the worst forms of child labor.(10, 11)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Seychelles has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Seychelles' legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 31 of the Constitution; Article 21 of the Conditions of Employment Regulations (12, 13)
Minimum Age for Hazardous Work	No	18	Article 22(1) of the Conditions of Employment Regulations (13)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 22(1)-(2) of the Conditions of Employment Regulations (13)
Prohibition of Forced Labor	Yes		Article 251 of the Penal Code; Articles 3–4 of the Prohibition of Trafficking in Persons Act (14, 15)
Prohibition of Child Trafficking	Yes		Article 4 of the Prohibition of Trafficking in Persons Act (15)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 142, 152, and 245 of the Penal Code; Articles 2–4 of the Prohibition of Trafficking in Persons Act (14, 15)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 23 of the Defense Act (16)
Non-state Compulsory	No		
Compulsory Education Age	Yes	16	Article 33 of the Constitution; Paragraph 4 of the Education (Educational Zones and Compulsory Education) Order (12, 17)
Free Public Education	Yes		Article 33 of the Constitution (12)

* No conscription (18)

Laws related to child labor are not completely consistent with international standards. Article 22(4) of the Conditions of Employment Regulations establishes an exception allowing children as young as 15 to perform work generally prohibited to children under 18. The law also fails to ensure that children performing work under this exception receive adequate training and fails to protect the health, safety, and morals of these children, in accordance with international standards. (13) In 2013, the Government developed a more specific list of hazardous child labor activities prohibited to children under 18, but this list was not approved during the reporting period.(3, 19-21)

The minimum age of 12 for light work is not in compliance with international standards. Although Seychelles specifies the conditions in which light work may be undertaken, it does not limit the number of hours for light work or have a

list of activities in which light work may be permitted.(13, 20) The Government has developed a legal amendment to the Conditions of Employment Regulations which would increase the minimum age for light work to 13 and include specific light work provisions, but the amendment was not approved during the reporting period.(20, 22)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Human Resources Development (MLHRD)	Enforce child protection and child labor laws, investigate complaints, and conciliate disputes between employers and workers.(5, 23)
Police Department's Family Squad and Child Protection Team	Investigate criminal cases involving minors, including issues of commercial sexual exploitation, through the Family Squad. Collaborate with the Department of Social Affairs to ensure that child abuse cases are addressed.(1, 21, 24)
Department of Social Affairs' Child Protection Unit	Develop and implement programs to protect vulnerable children and monitor alleged violations of child labor laws, including those related to the worst forms of child labor.(1, 21) In 2016, launched extensive awareness-raising campaign on child protection issues in 24 primary schools.(21)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Seychelles took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	\$1.6 million (3)
Number of Labor Inspectors	13 (24)	13 (3)
Inspectorate Authorized to Assess Penalties	No (24)	No (3)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (24)	N/A (3)
Training on New Laws Related to Child Labor	No (24)	N/A
Refresher Courses Provided	Yes (24)	Yes (3)
Number of Labor Inspections	1,668 (24)	794 [‡] (3)
Number Conducted at Worksite	1,638 (24)	739 [‡] (3)
Number Conducted by Desk Reviews	30 (24)	55 [‡] (3)
Number of Child Labor Violations Found	0 (24)	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	N/A
Number of Penalties Imposed that Were Collected	N/A	N/A
Routine Inspections Conducted	Yes (24)	Yes (3)
Routine Inspections Targeted	No (24)	No (3)
Unannounced Inspections Permitted	Yes (25)	Yes (3)
Unannounced Inspections Conducted	Yes (24)	Yes (3)
Complaint Mechanism Exists	Yes (24)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (24)	Yes (3)

[‡] Data are from January 1, 2016 to November 30, 2016.

In 2016, the Ministry of Labor and Human Resources Development had eight inspectors in Mahé Island, three in Praslin Island, and two in La Digue Island.(3) Reports indicate that there is a lack of trained staff, equipment, transportation, and funding to conduct effective inspections and legal proceedings.(2, 26)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Seychelles took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown (24)	Unknown (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (27)	Yes (3)
Number of Investigations	Unknown (24)	1 (3)
Number of Violations Found	Unknown (24)	Unknown (3)
Number of Prosecutions Initiated	Unknown (24)	Unknown (3)
Number of Convictions	Unknown (24)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (27)	Yes (27)

Reports indicate that there is a lack of trained staff, equipment, transportation, and funding to effectively conduct criminal law enforcement efforts related to the worst forms of child labor.(2, 5)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Coordinating Committee on Trafficking in Persons	Coordinate actions against trafficking in persons and guarantee protection of victims at the national level. Chaired by the Ministry of Social Affairs and includes representatives from various agencies, including the Police, the MLHRD, and non-governmental stakeholders.(2, 4, 15, 21) In 2016, met multiple times to implement the victim assistance tool on human trafficking.(2, 21)
National Council for Children	Monitor the implementation of government policies to protect the rights of children and coordinate social programs for victims of child abuse.(28, 29) Is a semi-autonomous body and includes representatives from government ministries and civil society organizations. In May 2016, hosted a major conference on child protection.(3)
National Commission for Child Protection	Implement, coordinate, and monitor government efforts on child protection. Chaired by the Ministry of Social Affairs.(8, 22) Met regularly during the reporting period.(8, 22, 30)

During the reporting period, the National Coordinating Committee on Trafficking in Persons did not receive dedicated funding, which affected its ability to implement the National Action Plan.(2, 26)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Strategic Framework and Action Plan to Combat Trafficking in Persons (2014–2016)	Aimed to raise awareness, prosecute perpetrators, improve victims' access to protection and assistance services, build capacity of stakeholders, and strengthen cooperation among relevant stakeholders to prevent and combat trafficking in persons.(31) In 2016, conducted trainings on human trafficking for government immigration officers.(9)
National Social Renaissance Plan of Action (2012–2016)	Included provisions to decrease violations of children's rights, bolster child protection, and enhance services to victims of commercial sexual exploitation. Implemented by various ministries, including the MLHRD.(32, 33)
National Education Policies	Includes the Education Sector Strategic Plan (2013–2017) and the Inclusive Education Policy, both of which aim to improve the quality of, and access to, primary and secondary education. Overseen by the Ministry of Education.(21, 34)

Research was unable to determine whether activities were undertaken under the National Social Renaissance Plan of Action and the various National Education Policies.(26)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Commercial Sexual Exploitation of Children Awareness Raising†	Government program that implements awareness-raising activities aimed at youth. Focuses on the dangers of commercial sexual exploitation.(35)
Decent Work Country Program (2011–2017)	Government program, in collaboration with the ILO, that prioritizes the promotion of decent employment, especially for young people, and aims to identify hazardous occupations prohibited for youth.(36)

† Program is funded by the Government of Seychelles.

Although the Government has a program to address commercial sexual exploitation, the scope of this program is insufficient to address the full extent of the problem, including the commercial sexual exploitation of children associated with tourism.(29)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Seychelles (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure the minimum age for the exception to the hazardous work prohibition is 16.	2016
	Ensure that children performing work under the hazardous work exception receive adequate training in the type of work performed, and the health, safety, and morals of the children are protected.	2016
	Adopt the draft list of hazardous activities prohibited to children under 18.	2016
	Ensure that the law criminally prohibits using, procuring, and offering a child in the production and trafficking of drugs.	2015 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Raise the minimum age for light work to age 13. Ensure that the law's light work provisions prescribe the number of hours per week for light work and specify a list of activities in which light work may be permitted to comply with international standards.	2015 – 2016
Enforcement	Make information publicly available regarding the number of violations found, prosecutions initiated, and convictions achieved related to the worst forms of child labor.	2011 – 2016
	Strengthen labor law enforcement by authorizing the inspectorate to assess penalties and initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2015 – 2016
	Ensure that adequate funding, human resources, training, and equipment and provided for child labor law enforcement agencies.	2014 – 2016
Coordination	Ensure that the National Coordinating Committee on Trafficking in Persons receives adequate funding to fulfill its mission.	2015 – 2016
Government Policies	Ensure that the National Social Renaissance Plan of Action and various National Education Policies are implemented.	2016
Social Programs	Conduct research to better understand the extent and nature of the worst forms of child labor in Seychelles to inform policies and programs.	2013 – 2016
	Enhance efforts to eliminate barriers and make education accessible for all children by increasing school infrastructure and teacher availability.	2014 – 2016

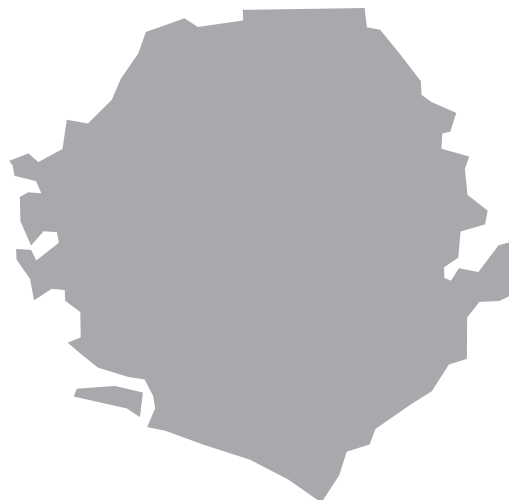
Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Social Programs	Expand the scope of programs to address the commercial sexual exploitation of children, including exploitation associated with tourism.	2011 – 2016

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In 2016, Sierra Leone made a minimal advancement in efforts to eliminate the worst forms of child labor. Despite new initiatives to address child labor, Sierra Leone is receiving this assessment because it continued to implement a policy that delayed advancement in eliminating the worst forms of child labor. Government policy continued to prohibit girls who were pregnant from attending regular public schools or taking secondary and postsecondary school entrance exams during the reporting period, making them more vulnerable to the worst forms of child labor. Otherwise, the National Technical Steering Committee on Child Labor organized awareness-raising programs on child labor for fishing and quarrying communities, as well as on child labor in street vending in the western area of Freetown. Children in Sierra Leone perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in diamond mining and in commercial sexual exploitation, sometimes as result of human trafficking. Sierra Leone's laws do not adequately protect children from involvement in hazardous work, and the country has not implemented the national action plan on child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Sierra Leone perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in diamond mining and in commercial sexual exploitation, sometimes as result of human trafficking.(1-3) Table 1 provides key indicators on children's work and education in Sierra Leone.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	51.3 (897,142)
Attending School (%)	5 to 14	67.0
Combining Work and School (%)	7 to 14	43.3
Primary Completion Rate (%)		66.0

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from the Demographic and Health Survey, 2013.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of cassava, coffee, cocoa, palm oil, peanuts, and rice (6-10)
	Fishing, including deep-sea fishing,† mending nets, and working on boats in the open sea† (1, 3, 9)
Industry	Mining† for alluvial diamonds, sand, and gold, including loading gravel in sacks or basins, carrying sacks on their heads, washing, and sieving (1, 8, 9, 11-13)
	Quarrying† and crushing stone, including granite, and transporting gravel (1, 3, 9, 14, 15)
	Construction, activities unknown (1, 2, 8)
	Manufacturing,† activities unknown (2)
Services	Scavenging scrap metals and recyclable materials from dumpsites (1, 9, 16, 17)
	Domestic work (1, 9)
	Street work, including begging, trading, and selling goods (1-3, 8, 9, 18, 19)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Services	Portering, including carrying heavy loads [†] (1, 9)
	Working as apprentices, including in auto-repair shops and on transportation vehicles (poda poda) (1)
Categorical Worst Forms of Child Labor [‡]	Forced begging, sometimes as a result of human trafficking (1, 9, 20-22)
	Forced domestic work, sometimes as a result of human trafficking (20, 23)
	Forced stealing (1, 9)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 8, 9, 21)
	Forced labor in agriculture and at granite and alluvial diamond mines, sometimes as a result of human trafficking (1, 9, 20, 21)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Sierra Leone is a source, transit, and destination country for children trafficked for forced labor and commercial sexual exploitation, in addition to domestic work and petty trading. (Government of Sierra Leone, 2014 #278; U.S. Department of State, February 27, 2014 #261; U.S. Embassy-Freetown, #306) (3, 8, 21) Internally, children are trafficked for forced labor in fishing, agriculture, diamond mines, and begging. (3) Children from neighboring countries are trafficked to Sierra Leone for begging, forced labor in mining and portering, and commercial sexual exploitation. (3, 8)

Research indicated the Government continued to implement a policy to prohibit pregnant girls from attending regular public schools and taking secondary and postsecondary school entrance exams, which makes them vulnerable to the worst forms of child labor. (9, 24, 25) In addition, despite the legal right to free basic education, many children do not complete primary school because of the high costs of uniforms, books, and fees charged by school authorities. (1, 26) Beyond early pregnancy, children’s access to education is also limited by a lack of schools and teachers, distance from schools, and sexual abuse by teachers. (1, 8, 9, 27, 28) Further, despite legal protections, children with disabilities are less likely to attend school due in part to inappropriate school facilities and discrimination. (9, 28, 29) NGOs also reported that children were denied access to school because of their HIV status. (9)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Sierra Leone has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Sierra Leone’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Section 125 of the Child Right Act; Section 52 of Chapter 212, Employers and Employed Act (30, 31)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Hazardous Work	Yes	18	Sections 126 and 128 of the Child Right Act; Sections 47–56 of Chapter 212, Employers and Employed Act (30, 31)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 128 of the Child Right Act; Sections 47–56 of Chapter 212, Employers and Employed Act; Sections 164 and 170 of the Mines and Minerals Act (30-32)
Prohibition of Forced Labor	Yes		Part II, Section 2, and Part IV, Sections 14, 15, and 21 of the Anti-Human Trafficking Act; Section 19 of the Constitution of Sierra Leone (33, 34)
Prohibition of Child Trafficking	Yes		Part II, Section 2, and Part IV, Sections 14, 15, and 21 of the Anti-Human Trafficking Act; Section 60 of the Child Right Act (30, 34)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 19–34 of the Sexual Offenses Act; Part II, Section 2, of the Anti-Human Trafficking Act (34, 35)
Prohibition of Using Children in Illicit Activities	Yes		Sections 7 and 13 of the National Drugs Control Act (36)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Section 28 of the Child Right Act (30)
Non-state Compulsory	No		
Compulsory Education Age	Yes	15	Section 3 of the Education Act; Section 125 of the Child Right Act (26, 30)
Free Public Education	Yes		Section 3 of the Education Act; Section 9 of the Constitution of Sierra Leone; Section 11(c) of the Child Right Act (26, 30, 33)

* No conscription (37)

The Government developed a list of hazardous work prohibited for children under age 18; however, it remains with the Cabinet for review and has not yet been approved.(8) Currently, the types of hazardous work prohibited for children do not comprehensively cover children’s work in sectors in which child labor is known to occur, including in agriculture, construction, domestic work, transportation, street work, auto-repair shops, and dumpsites, areas of work where there is evidence of harm to children’s health, safety, or morals.(1, 9, 30-32) Furthermore, research did not find whether actions were taken on the Anti-Trafficking Law in 2016.(8)

The Child Right Act sets the minimum age for light work at age 13; however, it does not limit the number of hours for light work, and therefore is not specific enough to prevent children from involvement in child labor.(30)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MLSS)	Formulate, implement, and monitor compliance with child labor regulations through its Child Labor Unit, consisting of six labor officials in the Western Area.(8, 38) MLSS District Labor Officers are responsible for enforcing labor laws in the formal sector.(20) Operate regional offices in Kenema, Makeni, and Bo, in addition to a newly established office in the diamond-producing district of Kono.(8)
Ministry of Mines and Mineral Resources	Enforce regulations against the use of child labor in mining. Authorized to suspend licenses of mining operators engaged in child labor.(9, 32)
Ministry of Social Welfare, Gender and Children’s Affairs (MSWGCA)	Serve as lead agency to ensure child protection in country and in criminal law enforcement.(1, 20) Head the National Trafficking in Persons Secretariat.(20)

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Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Sierra Leone Police	Investigate and prosecute child labor crimes identified through Family Support Units, which are mandated to minimize and eradicate the incidence of sexual abuse, domestic violence, and child abuse by leading the investigation and prosecution of related offences.(20, 39)
Transnational Organized Crime Unit	Enforce human trafficking laws and provide statistics and information on cases of human trafficking.(40)
Ministry of Local Government and Rural Development	Enforce child labor laws in the informal sector through its district Councils.(1)
Child Welfare Committees	Promote awareness of children’s rights and report child welfare concerns to officials responsible for children’s issues. Provide recommendations on the support of village children and address complaints and concerns by village inhabitants.(30, 39)

The Child Right Act requires the establishment of a child welfare committee in every village, chiefdom, and district; however, these committees have only been established in a few parts of the country due to budgetary constraints.(20, 25, 30)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Sierra Leone took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (41)	Unknown (8)
Number of Labor Inspectors	18 (42)	6 (8, 25)
Inspectorate Authorized to Assess Penalties	Yes (41)	Yes (43)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (20)	No (8)
Training on New Laws Related to Child Labor	N/A	No (8)
Refresher Courses Provided	Yes (20)	No (8)
Number of Labor Inspections	250 (20)	350 (8)
Number Conducted at Worksite	250 (20)	350 (8)
Number Conducted by Desk Reviews	Unknown (41)	0 (8)
Number of Child Labor Violations Found	0 (20)	0 (8)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (20)	0 (8)
Number of Penalties Imposed that Were Collected	0 (20)	0 (8)
Routine Inspections Conducted	Yes (41)	Yes (8)
Routine Inspections Targeted	Yes (41)	Yes (8)
Unannounced Inspections Permitted	Yes (41)	Yes (8)
Unannounced Inspections Conducted	Yes (41)	Unknown (8)
Complaint Mechanism Exists	Yes (41)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (41)	Yes (8)

In 2016, the Ministry of Labor and Social Security (MLSS) had 6 labor inspectors and 44 factory inspectors who assess the safety and health of workers in factories.(25, 42, 43) The number of labor inspectors is insufficient for the size of Sierra Leone’s workforce, which includes over 2 million workers. According to the ILO’s recommendation of 1 inspector for every 40,000 workers in least developed economies, Sierra Leone should employ roughly 67 inspectors.(44, 45) In addition, enforcement of child labor laws remains challenging due to the lack of resources for inspections and insufficient training.(20) Although the Government has a complaint line for issues related to child protection, it does not receive child labor complaints.(11) Further, the Ministry of Mines and Mineral Resources can conduct inspections of mines and revoke licenses from license holders who are found to be using child labor, but reports indicated that the Government did not effectively enforce these laws in the diamond mining sector.(9, 32)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Sierra Leone took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	No (20)	No (8)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (8)
Refresher Courses Provided	No (20)	No (8)
Number of Investigations	Unknown (46)	12 (8)
Number of Violations Found	Unknown (46)	23 (8)
Number of Prosecutions Initiated	Unknown (46)	6 (8)
Number of Convictions	0 (20, 47)	0 (8)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (47)	Yes (8)

Reports indicate that criminal law enforcement in Sierra Leone, particularly in its efforts to address human trafficking, is hampered by a lack of coordination, limited funding, and a lack of training among law enforcement personnel and the judiciary.(8, 47) During the reporting period, 12 cases of child forced labor and child sexual exploitation were investigated by the authorities, and six of these were prosecuted; however, no convictions were reporting during the reporting period.(8)

The Government has a formal complaint mechanism. Complaints filed are routed to the Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA) or the MLSS to assess the situation and determine the victim's medical and shelter needs; once notified by the authorities, the police pursue an investigation.(8) MSWGCA officials reported that the Child Protection Office received 728 complaints related to child abuse in 2016.(25)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Technical Steering Committee on Child Labor (NTCCL)	Develops and coordinates a National Action Plan Against the Worst Forms of Child Labor.(11, 38, 48) Led by the MLSS and the MSWGCA, and includes representatives from 10 other government agencies as well as representatives from international organizations and NGOs.(43) In 2016, the NTCCL met every quarter and conducted three sensitization programs in fishing and quarrying communities, in addition to programs on child street work in the western area of Freetown. The NTCCL also trained 20 government social workers on child labor and human trafficking.(8, 25)
National Trafficking in Persons Task Force	Coordinates the needs and requirements of agencies that provide shelter and services for human trafficking victims, gathers data on reported human trafficking cases, and meets regularly to develop policy and address the issue of child trafficking.(11, 49) Led by the MSWGCA.(50) In 2016, a proposed anti-migrant smuggling law and ratification of the ECOWAS Convention on Mutual Assistance in Criminal Matters both remained under review by the Cabinet.(8)
National Commission for Children	Coordinates and exchanges information in accordance with the Child Right Act. Advises the Government on ways to improve the condition and welfare of children as part of the NTCCL; Led by and the MLSS and the MSWGCA.(30)

Research was unable to determine whether all members of the National Commission for Children have been named in accordance with Child Right Act requirements.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Sierra Leone has established policies related to child labor, including its worst forms (Table 9).

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Table 9. Key Policies Related to Child Labor†

Policy	Description
National Action Plan on Human Trafficking	Includes strategies to address human trafficking through prevention, victim identification, protection and referral, training, and government coordination and monitoring.(51) In 2016, no activities were carried out and directly funded by the Government; however, several trainings for police, border guards, and social workers were held on human trafficking issues in support of the plan’s objectives, financed through international organizations and NGOs.(25)

† The Government had other policies that may have addressed child labor issues or had an impact on child labor.(20, 43, 52, 53)

The Government has yet to approve the National Action Plan against the Worst Forms of Child Labor and has not included child labor elimination and prevention strategies in the Education Sector Plan.(8, 54)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government of Sierra Leone funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
<u>Global Action Program on Child Labor Issues Project</u> (2011–2017)	USDOL-funded project implemented by the ILO in approximately 40 countries to build the capacity of the Government and to develop strategic policies to eliminate child labor.(38, 55) For additional information about USDOL’s work, please visit our website .
Human Trafficking and Sexual Violence Prevention Program (2013–2016)	USDOS-funded project implemented by World Hope International (WHI) that provides the only shelter for human trafficking victims in Sierra Leone. Identifies victims of human trafficking and exploitation and provides care, recovery, and reintegration services, and works to build the Government’s capacity to combat human trafficking in a sustainable manner.(20) In 2016, WHI provided shelter and related care for 23 children who were victims of forced labor, namely domestic servitude and sexual exploitation.(8)
Government-run Shelters†	Government program that refers child trafficking victims to private shelters that house child victims of forced labor and human trafficking.(23) In 2016, the Government noted that there was an insufficient number of shelters.(25)
Revitalizing Education Development in Sierra Leone (2014–2017)	World Bank-funded, \$23.4 million project that aims to strengthen the education system in Sierra Leone. Adds resources to support the initiation of a school feeding program, helps eliminate informal school fees, supplies books to children in grades one to three, and supports local councils with school infrastructure needs, among other activities.(56, 57) In 2016, 30 early childhood education classrooms were nearly completed.(25, 57)
UNICEF Country Program (2015–2018)	Aims to address the worst forms of child labor, increase access to basic education, reduce child marriage and adolescent pregnancies, and address other children’s needs.(28) In 2016, among other activities, UNICEF provided technical support, including vehicles, to assist the Government in monitoring educational programs and activities.(25)

† Program is funded by the Government of Sierra Leone.

Sierra Leone has insufficient shelters and safe houses for children who have been withdrawn from working on the streets or in forced labor.(3, 25)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Sierra Leone (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all children are protected from hazardous work, particularly in agriculture, construction, domestic work, transportation, street work, repair shops, and dumpsites that have hazardous conditions and in which child labor is known to occur.	2014 – 2016
	Clarify whether actions were taken to strengthen prohibitions on domestic human trafficking in the Anti-Trafficking Law.	2015 – 2016
	Ensure that the law’s light work provisions are specific enough to prevent children from involvement in child labor.	2015 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
Enforcement	Ensure that Village Child Welfare Committees are fully established and operational.	2014 – 2016
	Publish information about MLSS funding and whether unannounced inspections are conducted, and increase the number of labor inspectors to meet the ILO recommendation.	2011 – 2016
	Enforce laws prohibiting child labor in mining, particularly in the diamond mining sector.	2015 – 2016
	Ensure training for civil and criminal law enforcement officials.	2015 – 2016
	Target child labor issues as part of the child protection complaint line.	2013 – 2016
	Improve coordination between criminal law enforcement agencies to ensure that violations are effectively investigated and prosecuted, and that the judicial system has sufficient training and ability to handle child labor and human trafficking cases efficiently.	2014 – 2016
	Provide labor law and criminal law enforcement officials with sufficient budgetary and transportation resources to effectively enforce the labor laws throughout the country.	2012 – 2016
Coordination	Designate all members of the National Commission for Children in accordance with Child Right Act requirements.	2014 – 2016
Government Policies	Permit pregnant girls to take school entrance exams and attend regular public schools.	2015 – 2016
	Integrate child labor prevention and elimination strategies into the Education Sector Plan.	2015 – 2016
	Adopt the National Action Plan against the Worst Forms of Child Labor.	2014 – 2016
Social Programs	Increase access to education for children by eliminating school expenses, providing transportation, increasing the number of schools and improving poor infrastructure, eliminating abuse by teachers, and improving access for children with disabilities as well as for children in situations involving early marriage, pregnancy, and motherhood.	2013 – 2016
	Increase the availability of shelters and safe houses for victims of forced labor and for children removed from street work.	2009 – 2016

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In 2016, the Solomon Islands made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government amended the Penal Code to improve protections for children against commercial sexual exploitation. However, children in the Solomon Islands engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. The minimum age for employment does not meet international standards and the Government has not comprehensively identified the hazardous occupations prohibited for children. In addition, education is not compulsory, which increases children's vulnerability to child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Solomon Islands engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1-6) Table 1 provides key indicators on children's work and education in the Solomon Islands. Data on some of these key indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		88.6

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(7)
Data were unavailable from Understanding Children's Work Project's analysis, 2016.(8)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Harvesting palm oil fruits on plantations (9, 10)
	Harvesting sea cucumbers, including diving in deep water (4, 9)
Industry	Alluvial mining† (9)
	Construction on roads and buildings, including making bricks (9)
Services	Domestic work and work as cooks (4, 9)
	Scavenging for cans and metal in garbage dumpsites, streets, and streams (3, 9)
	Working in nightclubs, casinos, and motels (4, 9)
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (1-6)
	Use in illicit activities, including in the cultivation and trafficking of drugs (1, 3, 9)
	Forced domestic work and forced work as cooks (4, 6, 11)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

In the Solomon Islands, the commercial sexual exploitation of both boys and girls is prevalent near logging camps, near or aboard fishing vessels, and at hotels and entertainment establishments.(2, 5)

Although the Government's Fee Free Basic Education Policy provides free education for children in grades one through nine, additional school fees, uniform and book costs, and transportation limitations that make it challenging for some children,

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particularly girls, to access education.(9, 12) There is no nationally representative data available on the prevalence and nature of child labor in the Solomon Islands.

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Solomon Islands has ratified some key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Solomon Island's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	12	Article 46 of the Labor Act (13)
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Articles 47–49 of the Labor Act (13)
Prohibition of Forced Labor	Yes		Article 6 of the Constitution; Articles 251 and 256 of the Penal Code; Part 7 of the Immigration Act (14-16)
Prohibition of Child Trafficking	No		Part 7 of the Immigration Act; Article 145 of the Penal Code (16, 17)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 141, 143, and 144 of the Penal Code (15, 17)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Military Recruitment			
State Compulsory	N/A [†]		
State Voluntary	N/A [†]		
Non-state Compulsory	No		
Compulsory Education Age	No		
Free Public Education	No		

[†] No standing military (18)

In 2016, the Government adopted an amendment to the Penal Code, which criminally prohibits domestic human trafficking, with heightened penalties if the offence is committed against a child. However, the prohibitions against child trafficking are insufficient because they require threats, the use of force, or other forms of coercion to be established for the crime of child trafficking. The amendment also criminalizes the use, procuring, and offering of a child for commercial sexual exploitation, including prostitution.(17) Further, the law prohibits the use, procuring, and offering of a child for the production of pornography, but these prohibitions are insufficient, as they do not include pornographic performances.(17)

The minimum age for work is not in compliance with international standards because the Labor Act permits children as young as age 12 to work.(13) The hazardous work prohibitions are not in compliance with international standards. The Labor Code prohibits all children under 18 from working at night in industrial undertakings, all females under 18 from working in a mine or a ship, all boys under 15 from working in industry or on ships, and all boys under 16 from working in a mine. However, it doesn't clearly set forth a minimum age for hazardous work in compliance with international standards or delineate, after tripartite consultation, the type of work considered hazardous in the country for all children. In addition, the legal framework doesn't prohibit the types of work in which children engage in the Solomon Islands where there is evidence of dangers, including in scavenging and in agricultural activities, where children are exposed to injuries, extreme temperatures, and agrochemicals.(9)

Laws do not prohibit the use of children in illicit activities, including in the production and trafficking of drugs.(15) The Solomon Islands has not established an age to which education is compulsory, which increases the risk of children's involvement in child labor. Although there are no laws that provide free basic education, there is a policy that sufficiently provides for free basic education.(12)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Commerce, Industry, Labor, and Immigration	Enforce child labor laws.(19) Through the Immigration Division, leads efforts to combat human trafficking, including the trafficking of children.(20, 21)
Royal Solomon Islands Police	Enforce criminal laws against the worst forms of child labor.(11) Leads investigations of internal human trafficking cases.(22)
Joint Monitoring and Investigation Team	Monitor and investigate cases of transnational human trafficking, specifically in the logging industry. Comprises representatives from the Immigration Division, the Royal Solomon Islands Police, Customs, and Forestry.(20)

Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in the Solomon Islands took actions to combat the worst forms of child labor (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (23)	Unknown (19)
Number of Labor Inspectors	Unknown (23)	Unknown (19)
Inspectorate Authorized to Assess Penalties	Unknown (23)	Unknown (19)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown (23)	Unknown (19)
Training on New Laws Related to Child Labor	Unknown (23)	Unknown (19)
Refresher Courses Provided	Unknown (23)	Unknown (19)
Number of Labor Inspections	Unknown (23)	Unknown (19)
Number Conducted at Worksite	Unknown (23)	Unknown (19)
Number Conducted by Desk Reviews	Unknown (23)	Unknown (19)
Number of Child Labor Violations Found	Unknown (23)	Unknown (19)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (23)	Unknown (19)
Number of Penalties Imposed that Were Collected	Unknown (23)	Unknown (19)
Routine Inspections Conducted	No (23)	Unknown (19)
Routine Inspections Targeted	N/A (23)	Unknown (19)

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Table 6. Labor Law Enforcement Efforts Related to Child Labor(cont)

Overview of Labor Law Enforcement	2015	2016
Unannounced Inspections Permitted	Yes (13)	Yes (13)
Unannounced Inspections Conducted	Unknown (23)	Unknown (19)
Complaint Mechanism Exists	Unknown	Unknown (19)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Unknown (19)

Inadequate resources continue to hamper the labor inspectorate's capacity to enforce child labor laws.(11, 23)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in the Solomon Islands took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown (23)	Unknown (19)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (23)	Unknown (19)
Refresher Courses Provided	Yes (20)	Yes (24)
Number of Investigations	Unknown (23)	1 (22)
Number of Violations Found	Unknown (23)	1 (22)
Number of Prosecutions Initiated	Unknown (23)	0 (22)
Number of Convictions	Unknown (23)	0 (22)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (20)	Yes (20)

In 2016, the IOM and the Solomon Islands Immigration Division conducted a series of province-level anti-human trafficking trainings for law enforcement officials, focusing on victim identification and protection.(24)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established a coordination mechanism on trafficking in persons, as well as the National Advisory Committee on Children, which advises the Cabinet on children's issues, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Anti-Human Trafficking Advisory Committee	Coordinate efforts across the Government to address human trafficking.(20) Includes the Immigration Division, which acts as secretariat, and representatives from law enforcement agencies and NGOs.(22)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
National Action Plan on Human Trafficking and People Smuggling (2015–2020)	Establishes a framework for national anti-human trafficking efforts. Raises awareness about commercial sexual exploitation of children and services available for vulnerable children.(20, 26) Approximately \$3,850 has been allocated for victim support under the plan.(22)
Fee Free Basic Education Policy	Subsidizes school fees for grades one through nine to increase access to education.(9, 12)

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(27)

Although the Government of the Solomon Islands has adopted the National Action Plan on Human Trafficking and People Smuggling, research found no evidence of a policy on other worst forms of child labor. Child labor prevention and elimination strategies do not appear to be integrated in the Fee Free Basic Education Policy.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
Protecting Children from Sexual Exploitation and Sexual Abuse Through Empowerment and Cooperation	EU-funded program, implemented by Save the Children in collaboration with the National Advisory Committee on Children. Seeks to strengthen community-level child protection and referral mechanisms in three provinces to protect children from engagement in commercial sexual exploitation.(28-30)

[‡] The Government of the Solomon Islands had other programs that may have addressed child labor issues or had an impact on child labor.(31)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in the Solomon Islands (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography and the Palermo Protocol on Trafficking in Persons.	2014 – 2016
	Raise the minimum age for employment to at least 14 to comply with international standards.	2009 – 2016
	Ensure that laws clearly establish 18 years old as the minimum age for hazardous work.	2016
	After tripartite consultations, determine the types of hazardous work prohibited for children, including the types of work in which children are engaged where there is evidence of hazards, such as in scavenging and in agriculture.	2009 – 2016
	Ensure that the law criminally prohibits child trafficking, regardless of whether threats, the use of force, or other forms of coercion can be established.	2016
	Ensure that the law criminally prohibits the use, procuring, and offering of a child for pornographic performances.	2016
	Ensure that the law criminally prohibits the use, procuring, and offering of a child for illicit activities, including in the production and trafficking of drugs.	2011 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
Enforcement	Establish by law an age up to which education is compulsory.	2009 – 2016
	Publish information on the enforcement of labor laws and criminal laws on child labor, including its worst forms.	2009 – 2016
Coordination	Allocate adequate funds for the enforcement of laws on child labor, including its worst forms.	2009 – 2012 2014 – 2016
	Establish coordinating mechanisms to combat child labor, including its worst forms.	2010 – 2016
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor.	2016
	Integrate child labor elimination and prevention strategies into the Fee Free Education Policy.	2014 – 2016
Social Programs	Conduct research on child labor in the Solomon Islands to inform policy and program design.	2013 – 2016
	Eliminate barriers to basic education by improving access to school transportation and eliminating school-related fees.	2014 – 2016

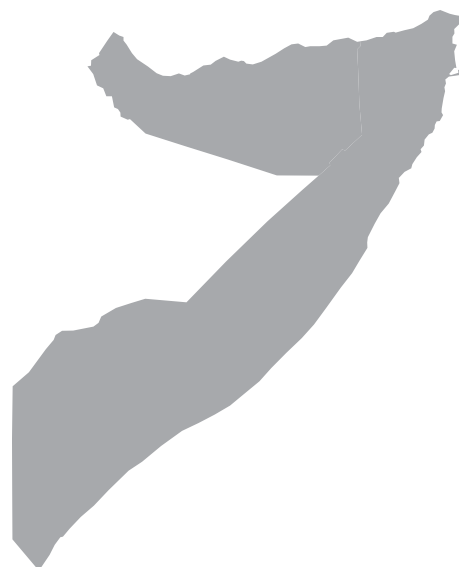
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In 2016, Somalia made a minimal advancement in efforts to eliminate the worst forms of child labor. Despite new initiatives to address child labor, Somalia is receiving this assessment because it continued to implement a regression in practice that delayed advancement in eliminating the worst forms of child labor. The Somali National Army recruited and used children in armed conflict in violation of its national law during the reporting period. Otherwise, Somalia made efforts by constructing a rehabilitation center for former child combatants and establishing a Human Trafficking and Smuggling Task Force. Children in Somalia also perform dangerous tasks in street work. Laws do not identify hazardous occupations or activities prohibited for children, and child trafficking for labor and commercial sexual exploitation is not criminally prohibited. In addition, the Government did not employ labor inspectors and conducted no inspections.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Somalia perform dangerous tasks in street work. (1, 2) Children also engage in the worst forms of child labor, including in armed conflict.(1, 3, 4) Table 1 provides key indicators on children’s work and education in Somalia. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent		
		All [Somalia]	Puntland	Somaliland
Working (%)	5 to 14	Unavailable	9.5	13.2
Attending School (%)	5 to 14	Unavailable	38.3	44.2
Combining work and school (%)	7 to 14	Unavailable	4.7	6.6
Primary completion rate (%)		Unavailable	Unavailable	Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2016.(5)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Multiple Indicator Cluster Survey 4, 2011.(6) Data on working children, school attendance, and children combining work and school are not comparable with data published in the previous version of this report because of differences between surveys used to collect the data.

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, activities unknown (2)
	Herding livestock (2)
	Fishing, including cleaning (7)
Industry	Construction, including digging (2, 7)
	Mining and quarrying, including breaking rock for gravel (2, 7)
Services	Street work, including shining shoes, washing cars, conducting minibuses, selling cigarettes, and selling and transporting <i>khat</i> (a legal, amphetamine-like stimulant) (1, 2, 8)
	Working as maids in hotels (8)
	Domestic work (1, 2, 8)
	Voluntary recruitment of children by state armed groups for use in armed conflict (3, 4)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [‡]	Forced recruitment of children by non-state armed groups for use in armed conflict (1, 3, 4, 9)
	Forced labor in domestic work, agriculture, herding livestock, breaking rocks for gravel, selling or transporting <i>khat</i> , begging, and construction work, each sometimes as a result of human trafficking (3)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2, 3, 10)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

As of October 2016, there were over 1.1 million internally displaced persons in Somalia.(11) Internally displaced persons, including children, are vulnerable to human trafficking for sexual and labor exploitation.(3) Trucks transporting goods to Somalia return to Kenya with girls who are trafficked for commercial sexual exploitation in brothels in Kenya and destinations outside of Kenya.(3) Children seeking refuge in Kenya to avoid recruitment by the terrorist organization al-Shabaab are subsequently trafficked for labor and commercial sexual exploitation. Research found that children are trafficked to Saudi Arabia and forced to beg on the streets.(3)




In 2016, al-Shabaab forcibly recruited children as young as age 10 for use in armed conflict.(1, 3, 4) Children planted explosive devices, acted as human shields, conducted assassinations and suicide attacks, gathered intelligence, and provided domestic service; girls were forced into sexual servitude.(3) Research found that the Ahlu Sunnah Wal Jama’a militia, which to date has not yet integrated into the Somali National Army (SNA), recruited children; Somalia’s numerous clan militias also used child soldiers. During the reporting period, the SNA recruited children for use in armed conflict, even though General Order No. 1 prohibits military personnel from recruiting and employing child soldiers.(3, 4, 12)

The protracted violence has reduced access to all basic services, including public education.(13, 14) Attacks on schools have resulted in the forced recruitment of children, military occupancy of schools, and damaged facilities.(4, 15, 16)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Somalia has ratified some key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	

The FGS controlled its capital city, Mogadishu; in other parts of the country, essential governance functions were provided by regional administrations, including Somaliland in the northwest and Puntland in the northeast.(2, 3)

The FGS has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Somalia’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 93 of the Labour Code; Article 38(1) of the Private Sector Employees Law (17, 18)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Hazardous Work	Yes	18	Article 90 of the Labour Code; Article 38(2) of the Private Sector Employees Law; Article 29 of the Provisional Constitution (17-19)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Articles 90 and 94 of the Labour Code; Articles 10 and 38(4) of the Private Sector Employees Law (17, 18)
Prohibition of Forced Labor	Yes		Articles 455 and 464 of the Penal Code (20)
Prohibition of Child Trafficking	No		
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 403–404 and 407–408 of the Penal Code (20)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	General Order No. 1 (12)
State Voluntary	Yes	18	General Order No. 1 (12)
Non-State Compulsory	No		
Compulsory Education Age	No		
Free Public Education	Yes		Article 30 of the Provisional Constitution (19)

In 2014, Parliament issued a public statement on a commercial contract, in which it cited pre-1991 laws, suggesting that the FGS continued to recognize relevant historic laws; however, no official determination has been issued.⁽²¹⁾ The Provisional Constitution does not provide a minimum age for employment. However, the pre-1991 Labour Code establishes 15 as the minimum age.⁽¹⁷⁾ Additionally, although the Labour Code establishes a minimum age of 12 years for light work and describes the conditions under which light work may be undertaken, it neither determines the activities in which light work may be permitted nor prescribes the number of hours per week for light work.⁽¹⁷⁾

The Labour Code allows the Secretary of State to prescribe the types of work that are prohibited to children under age 18; however, legislation that comprehensively prohibits hazardous occupations and activities for children does not appear to exist.⁽¹⁷⁾

Laws related to the commercial sexual exploitation of children are not sufficient, as using, procuring, and offering a child for prostitution, pornography, and pornographic performances are not criminally prohibited.⁽²⁰⁾ The Penal Code requires extensive updating. Many fines in the Code equal less than \$1 today, which does not serve as an effective deterrent.^(20, 22) Furthermore, it appears that under Article 405, children involved in prostitution would not be protected from criminal charges.⁽²⁰⁾

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The FGS has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Somali National Police	Investigate and enforce laws related to the worst forms of child labor. ⁽⁸⁾ Its Counter-Trafficking and Organized Crime Unit has 40 officers. ⁽²³⁾
Puntland Security Forces	Investigate and enforce human trafficking laws. ⁽²⁴⁾
Puntland Ministry of Justice	Prosecute human trafficking cases. ⁽²⁴⁾

Somalia

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Labor Law Enforcement

In 2016, the FGS did not employ labor inspectors and conducted no inspections.(8)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Somalia took actions to combat the worst forms of child labor (Table 6).

Table 6. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement		2015	2016
Training for Investigators			
Initial Training for New Employees	FGS	Yes (25)	Yes (26)
	Puntland	Yes (25)	Unknown
	Somaliland	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	FGS/Puntland/ Somaliland	N/A	N/A
Refresher Courses Provided			
Refresher Courses Provided	FGS	No (22)	Yes (23)
	Puntland	Yes (27)	Yes (23)
	Somaliland	Unknown	Unknown
Number of Investigations			
Number of Investigations	FGS	0 (22)	Unknown
	Puntland	Unknown	Unknown
	Somaliland	Unknown	Unknown
Number of Violations Found			
Number of Violations Found	FGS/Puntland/ Somaliland	Unknown	Unknown
Number of Prosecutions Initiated			
Number of Prosecutions Initiated	FGS	0 (22)	0 (8)
	Puntland	Unknown	Unknown
	Somaliland	Unknown	Unknown
Number of Convictions			
Number of Convictions	FGS	0 (22)	0 (8)
	Puntland	Unknown	7 (23)
	Somaliland	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	FGS/Puntland/ Somaliland	Yes (28)	Yes (4)

In 2016, the Somali National Police remained understaffed, undertrained, and lacked the capacity to investigate or enforce laws on the worst forms of child labor.(8) Puntland authorities convicted seven people for the commercial sexual exploitation of 37 children.(23)

The SNA issued a general staff order in 2016 stating that children under age 18 may not enlist; however, research found no information that the FGS investigated or prosecuted SNA officials who recruited or used child soldiers.(4)

During the reporting period, criminal law enforcement officials detained children for alleged association with non-state armed groups.(4) Puntland authorities detained 64 children for alleged association with al-Shabaab.(4, 29) Twenty-six of these children aged 12 to 14 were later released and transferred to a UNICEF-supported reintegration program.(4, 30) However, 38 children aged 15 to 17 continued to be detained. The regional Constitution of Puntland defines a child as anyone below the age of 15; consequently, 10 of these children were sentenced to death.(4, 30)

Research found that the existing referral mechanisms for victims of the worst forms of child labor only address children in armed conflict.(4)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the FGS has established a Child Protection Unit and Human Trafficking Task Forces, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 7).

Table 7. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Child Protection Unit	Raise awareness of child soldier issues and work with UNICEF to implement the standard operating procedures on protecting children associated with armed conflict.(7, 31, 32) In 2016, monitored SNA troops to prevent and eliminate the recruitment of children; no child soldiers were identified.(23)
Children Associated With Armed Conflict Working Group	Implement the Child Soldier Action Plan and the Action Plan to End the Killing and Maiming of Children in Contravention of International Law.(31, 32) Comprised of the Child Protection Unit, Ministry of Defense officials, and UN representatives.(31)
Human Trafficking Task Forces	The Human Trafficking and Smuggling Task Force,* led by the Ministry of Interior and Federal Affairs, leads the FGS’ anti-trafficking efforts. In 2016, began developing a national action plan.(23) Puntland’s Counter Trafficking Board, established in 2013, leads the region’s anti-trafficking efforts. Somaliland’s Counter Human Trafficking Agency* coordinates the development of legislation and collection of data.(23)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The FGS has established policies related to child labor, including its worst forms (Table 8).

Table 8. Key Policies Related to Child Labor[‡]

Policy	Description
Child Soldier Action Plan	Establishes a strategy for the reception and stabilization of children found within the SNA, and for the prevention of child soldiers through education of soldiers and monitoring of military camps.(31)
United Nations Integrated Strategic Framework (2014–2016)	Aims to prevent underage recruitment and ensure the release of children associated with armed forces and groups.(33)

‡ The Government has other policies which may have addressed child labor issues or had an impact on child labor.(34, 35)

Although the FGS has adopted policies on children in armed conflict, research found no evidence of a policy on other worst forms of child labor.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the FGS participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 9).

Table 9. Key Social Programs to Address Child Labor

Program	Description
Decent Work Country Program (2011–2016)	FGS program in partnership with the ILO that aims to eliminate the worst forms of child labor through research, policy development and implementation, and monitoring and evaluation systems.(36, 37)
National Program for Treatment and Handling of Disengaged Combatants	FGS program in coordination with UNICEF that rehabilitates former combatants, emphasizing the specific needs of child combatants, and of female combatants and their dependents.(38) In 2016, the FGS constructed a fourth rehabilitation center in Kismayo; the other centers are located in Baidoa, Belet Weyne, and Mogadishu. Centers provide accommodation, psychological counseling, education, and vocational training to former combatants.(39) In 2016, provided 854 vulnerable children, including children formerly associated with armed forces and groups, with reintegration services.(40)
UNICEF Country Program (2011–2016)	In cooperation with the FGS, implements the Go-2-School Initiative, a \$117 million, donor-funded, 4-year project that aims to expand and improve access to education by constructing and rehabilitating school infrastructure, training teachers, and providing vocational training.(14, 41)
Efforts to Combat Human Trafficking	Strengthening the National Criminal Justice Response to Trafficking in Persons is a \$750,000, USDOS-funded, 3-year project implemented by UNODC to enhance the criminal justice response to trafficking in persons within the FGS and Somaliland. Aims to strengthen legal frameworks to meet international standards; and develop and provide training on identifying victims, conducting investigations, and prosecuting cases.(42) In Somaliland, vulnerable children, including trafficking victims, receive social services at the Hargeisa Orphanage Center before they are reunited with their families.(23) Puntland authorities worked with IOM and local NGOs to provide social services and reintegration assistance to victims of trafficking; in 2016, 29 child victims were reunited with their families.(23)

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MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Although the FGS implemented programs to address child soldiers, research found no evidence that it carried out programs to assist children in other forms of child labor, including its worst forms. Furthermore, existing programs fail to address the scope of children in armed conflict.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Somalia (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on Armed Conflict; the UN CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography; and the Palermo Protocol on Trafficking in Persons.	2013 – 2016
	Clarify whether the pre-1991 Labour Code is still in effect under the FGS. Ensure that a legal framework on child labor is in place which includes a minimum age for work and hazardous work; determines the activities in which light work may be permitted and prescribes the number of hours per week for light work; and determines the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2009 – 2016
	Ensure that the law criminally prohibits child trafficking for labor and sexual exploitation.	2009 – 2016
	Ensure that the law criminally prohibits using, procuring, and offering a child for prostitution, pornography, and pornographic performances.	2015 – 2016
	Update the Penal Code to ensure that penalties for the commercial sexual exploitation of children are sufficiently stringent to deter violations.	2013 – 2016
	Ensure that the law protects children involved in commercial sexual exploitation from criminal charges.	2011 – 2016
	Ensure that the law criminally prohibits the use of children in illicit activities.	2009 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Establish a compulsory education age that is equal to or higher than the minimum age for work.	2009 – 2016
	Ensure Puntland's regional laws define a child as anyone below age 18, in accordance with international standards.	2016
Enforcement	Establish an infrastructure to enforce laws related to child labor, including adequate funding, human resources, and training for personnel.	2009 – 2016
	Publish information on the training of investigators, as well as the number of investigations conducted, violations found, prosecutions initiated, and convictions achieved in all regions of Somalia.	2016
	Ensure that criminal investigators receive adequate training in order to investigate, prosecute, and convict violators of the worst forms of child labor.	2012 – 2016
	Cease the recruitment and use of child soldiers by the SNA and its allied militia. Investigate, prosecute, and punish, as appropriate, SNA commanders who recruit and use children.	2015 – 2016
	Ensure that children associated with armed groups are not detained and refer these children to social service providers. Cease the practice of sentencing children to death for associating with armed groups.	2015 – 2016
	Establish a referral mechanism between the Somali National Police and social welfare services for children engaged in forced labor and commercial sexual exploitation.	2014 – 2016
Coordination	Establish coordinating mechanisms to combat child labor, including in all its worst forms.	2009 – 2016
Government Policies	Adopt a policy that addresses all of the worst forms of child labor.	2014 – 2016
Social Programs	Enhance efforts to eliminate barriers and make education accessible and safe for all children by removing all armed groups and forces from schools and compounds.	2013 – 2016
	Develop programs to address child labor, including in street work, and the worst forms of child labor, including in forced labor. Expand existing programs to address the scope of children in armed conflict.	2009 – 2016

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South Africa

MODERATE ADVANCEMENT

In 2016, South Africa made a moderate advancement in efforts to eliminate the worst forms of child labor. During the year, the Government joined the Global Action to Prevent and Address Trafficking in Persons and Smuggling of Migrants partnership; increased funding for the Child Support Grant from \$3.2 billion to \$3.5 billion; augmented the number of social workers that care for child abuse victims, including child laborers; and increased enforcement efforts to combat the worst forms of child labor. However, children engage in the worst forms of child labor, including in commercial sexual exploitation and forced begging. Government social programs are not sufficient to address the scope of child labor, and barriers to education access remain, especially among children with disabilities. In addition, the Government does not collect comprehensive data on child labor to inform policies and programs.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in South Africa engage in the worst forms of child labor, including in commercial sexual exploitation and forced begging.(1-3) Data on key indicators on children's work and education are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	7 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2016.(4)

Data were unavailable from Understanding Children's Work Project's analysis, 2016.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Harvesting mangos, lychees, bananas, grapes, citrus, and other fruits (1, 6, 7)
Services	Domestic work (1, 3, 8)
	Garbage scavenging for food items and recyclable items† (1, 9)
	Food service, activities unknown (2, 3)
	Street work, including vending and begging (2, 3, 8)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including drug trafficking, home burglaries, gang-related activity, and the production and selling of liquor,† sometimes as a result of human trafficking (2, 8)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2, 3, 10-15)
	Forced labor in domestic work, agriculture, food service, street vending, and begging, each sometimes as a result of human trafficking (2, 3, 8, 13, 16, 17)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

The Government does not collect comprehensive data on child labor.(3, 8, 18) There are some reports that children in South Africa are trafficked from rural to urban areas in Bloemfontein, Cape Town, Durban, and Johannesburg. Girls are trafficked for commercial sexual exploitation and domestic work, and boys are forced to work in begging, food service, and

street vending.(2, 10, 11, 13) Orphaned children in South Africa are more likely to be engaged in child labor than those with a parent or grandparent in their household. Children with disabilities are especially vulnerable to becoming street beggars.(3, 8, 13)




The Department of Home Affairs (DHA) expanded online birth registration at 389 health facilities and also funded 117 mobile units to provide birth registration services to children in remote areas.(19) In addition, the DHA also adopted an annual performance plan to increase birth registrations from 750,000 to 990,000 by 2019.(20) UNICEF's 2016 data show that 85 percent of children under age 5 in South Africa are registered at birth.(21) According to Chapter 2, Article 5 of the South African Schools Act, education is free through the primary level, but some schools charge fees that vary by municipality and region.(1, 3, 22) The Government has implemented a no-fee school program that covers the poorest primary schools and ordered that the schools in the first to third quintiles (poorest schools) receive school supplies, including books.(1, 23-26) The Government also provides some fee exemptions and reductions to children receiving government grants.(27, 28) The Government provides books and stationery; however, all families must pay for uniforms and other school-related expenses, which may affect children's access to education.(9, 27, 29)

In 2007, South Africa ratified the UN Convention on the Rights of Persons with Disabilities that requires the Government to “ensure an inclusive education system at all levels and lifelong learning directed to the development by persons with disabilities of their personality, talents, and creativity, as well as their mental and physical abilities, to their fullest potential.”(30) However, several reports suggest that children in South Africa with disabilities have limited access to education because mainstream educational facilities are not equipped and teachers are not trained to teach children with disabilities. The most recent data received from the Department of Education found that in 2014 there were 447 schools equipped to handle children with disabilities. Since most mainstream schools cannot accommodate children with disabilities, parents are often forced to enroll children in special schools that require fees, thereby increasing the likelihood that these children will not receive an education.(31-35) In 2015, the Minister of Basic Education, Angie Motshekga, made a public statement that the “lack of specialized competencies among educators teaching at special and full-service schools [would be] addressed through multi-year plans for teacher training in areas like Braille, South African Sign Language, autism, augmentative and alternative communication, and effective utilization of assistive technology, among other initiatives.”(36) In 2016, President Zuma stated at the Disability Rights Summit that the goal of the Government is to “ensure that by 2021 no children with disabilities will be out of school; [children with disabilities] should all be able to attend their local neighboring schools and receive the necessary support.”(37) Despite these public declarations, evidence suggests that children with disabilities continue to encounter difficulties accessing education.

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

South Africa has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in South Africa's legal framework to adequately protect children from child labor.

South Africa

MODERATE ADVANCEMENT

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 43 of the Basic Conditions of Employment Act (BCEA) (38)
Minimum Age for Hazardous Work	Yes	18	Article 1 of the BCEA; Regulations on Hazardous Work by Children in South Africa (38-40)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 4-10 of the Regulations on Work by Children in South Africa; Part II, Articles 6-9 of the BCEA; Regulations on Hazardous Work by Children in South Africa (39, 40)
Prohibition of Forced Labor	Yes		Chapter 2 of the Constitution; Article 141 of the Children's Amendment Act; Article 48 of the BCEA; Criminal Law Amendment Act 32 (40-42)
Prohibition of Child Trafficking	Yes		Article 141 of the Children's Amendment Act; Criminal Law Amendment Act 32 (41, 43)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 141 of the Children's Amendment Act (41)
Prohibition of Using Children in Illicit Activities	Yes		Article 141 of the Children's Amendment Act (41)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		Article 52 of the Defense Act (44)
State Voluntary	Yes	18	Article 52 of the Defense Act (44)
Non-state Compulsory	No		
Compulsory Education Age	Yes	15	Chapter 2, Articles 1–5 of the South African Schools Act (22)
Free Public Education	Yes		Chapter 2, Article 5 of the South African Schools Act (22)

* No conscription (44)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
South African Department of Labor (SADOL)	Enforce child labor laws.(1, 45) Identify via inspectors suspected cases of child labor and human trafficking and forward evidence to South African Police Service (SAPS) officials, who investigate and forward cases to the South African Department of Justice and Constitutional Development for prosecution. Coordinate a report titled State of Child Labor in South Africa.(29) Operates labor centers that each have a designated child labor coordinator who focuses on child labor investigations.(1, 29)
South African Department of Justice and Constitutional Development	Enforce criminal laws on the worst forms of child labor.(1, 45)
National Prosecution Authority	Prosecute criminal cases, including human trafficking cases.(1)
SAPS Human Trafficking Desk	Monitor and evaluate efforts to investigate human trafficking crimes, train investigators, and refer human trafficking cases to provincial SAPS units.(1)
Department of Social Development (DSD)	Provide child protection and social services to vulnerable children, including victims of human trafficking.(46)

Although labor inspectors have civil servant status to ensure job security, their low salaries and lack of opportunities promote high turnovers and transfers to other agencies.(47) However, all labor officers received child labor training during the year.(19)

Labor Law Enforcement

In 2016, labor law enforcement agencies in South Africa took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$30 million (25)	\$35 million (19)
Number of Labor Inspectors	1,599 (25)	1,533 (19)
Inspectorate Authorized to Assess Penalties	No (25)	No (19)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (25)	Yes (19)
Training on New Laws Related to Child Labor	Yes (25)	Yes (19)
Refresher Courses Provided	Yes (25)	Yes (19)
Number of Labor Inspections	149,847 (25)	146,307 (19)
Number Conducted at Worksite	149,847 (25)	Unknown (19)
Number Conducted by Desk Reviews	Unknown (25)	Unknown (19)
Number of Child Labor Violations Found	4 (25)	0 (19)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (25)	N/A (19)
Number of Penalties Imposed That Were Collected	N/A (25)	N/A (19)
Routine Inspections Conducted	Yes (25)	Yes (19)
Routine Inspections Targeted	Yes (25)	Yes (19)
Unannounced Inspections Permitted	Yes (25)	Yes (19)
Unannounced Inspections Conducted	Yes (25)	Yes (19)
Complaint Mechanism Exists	Yes (25)	Yes (19)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (25)	Yes (19)

The South African Department of Labor (SADOL) inspectors are authorized to issue compliance orders to employers, which are enforced by the Labor Court. In addition, labor inspectors may also issue injunctions that prohibit a business from continuing if there is a health and safety risk to employees.⁽⁴⁸⁾ Inspectors are also authorized under Section 65 of the Basic Conditions of Employment Act to enter workplaces where domestic workers are employed, as well as private farms and homes employing one or more workers.⁽¹⁹⁾ However, SADOL lacks a central unit to administer training programs for labor inspectors.⁽¹⁾ A source indicates more inspections are conducted in the formal sector than in the informal sector.⁽³⁾ Although labor inspectors are legally authorized to inspect private farms, some encounter difficulty accessing farms due to concerns of safety or entering private property. As a result, children possibly working in agriculture on private farms may be left unprotected.⁽⁴⁹⁾

Additionally, SADOL inspectors address labor rights concerns of foreign nationals and refer those cases to the Department of Home Affairs, which then transfers the cases to the South African Department of Social Development for social services. Inspectors also refer cases that may involve child labor to social workers who provide welfare needs, such as child protection and care.^(1, 25, 50) The Government reported that the South African Police Service (SAPS) employed forensic social workers to collaborate with investigators and provide care to victims of the worst forms of child labor.⁽¹⁹⁾ The Government funded an NGO-operated hotline that refers child labor complaints to government protection agencies or SAPS.⁽¹⁾ However, it is unknown how many complaints related to child labor were made to the Government-funded hotline, because the labor inspection data are not disaggregated by child labor violations.⁽⁴⁹⁾

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in South Africa took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (25)	Yes (19)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (25)	Yes (19)
Refresher Courses Provided	Unknown (25)	Yes (19)

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Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor (cont)

Overview of Criminal Law Enforcement	2015	2016
Number of Investigations	Unknown* (25)	75 (19)
Number of Violations Found	Unknown* (25)	75 (19)
Number of Prosecutions Initiated	Unknown* (25)	0 (19)
Number of Convictions	Unknown* (25)	3 (19)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (25)	Yes (19)

* The Government does not publish this information.

In 2016, the Government joined the Global Action to Prevent and Address Trafficking in Persons and Smuggling of Migrants partnership with UNICEF, the IOM, and the EU, to coordinate efforts to identify and prosecute traffickers.(51) In July 2016, the South African Police Hawks rescued 16 girls from a human trafficking ring.(52)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Implementation Committee on Child Labor	Monitor and support advocacy and awareness-raising; mainstreaming of child labor into government policies; and the implementation of child labor programs, legislation, and enforcement.(1, 45) Chaired by SADOL, members include representatives from commercial agriculture, trade unions, and government agencies, including SAPS.(1) Includes provincial-level child labor coordinating structures.(7) In 2016, the Implementation Committee on Child Labor met on a quarterly basis. However, no reports were published about the progress to implement the National Child Labor Program of Action for South Africa.(49)
Child Labor Intersectoral Support Groups	Facilitate the prevention of all types of child labor, including children scavenging and child labor that occurs as a result of human trafficking. Established by SADOL and managed by child labor coordinators in each province, members include multiple government agencies, including the SADOL Head Office, SADOL Provincial Child Labor Coordinators, the Department of Justice, the National Prosecuting Authority, the Department of Home Affairs (DHA), the DSD, and the Department of Education; NGOs; and labor federations.(1, 29) In 2016, the groups met quarterly, participated in the child protection week, and assisted with the human trafficking awareness campaigns.(49)
Trafficking in Persons Task Team	Coordinate the Government's anti-human trafficking efforts, including overseeing strategy and policy decisions made at the provincial level in Gauteng, Mpumalanga, KwaZulu-Natal, Western Cape, Limpopo, and Eastern Cape. Led by the National Prosecution Authority's Sexual Offenses and Community Affairs Unit and South Africa Department of Justice's Victim Support Directorate; members include SADOL, the DSD, and the DHA, as well as other representatives of national law enforcement.(1, 8) Research was unable to find information about any coordination activities it conducted during the year.(49)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Child Labor Program of Action for South Africa, Phase III (2013–2017)	Serves as the primary policy instrument to prevent and eliminate child labor in South Africa.(26, 53) Promotes government activities and calls for the promotion of new laws against the worst forms of child labor.(1, 53) Also includes a list of indicators to monitor the Government's efforts against child labor.(53) During the year, government agencies raised awareness about child labor through radio stations, participated in Child Protection Week, and commemorated the National Day Against Child Labor.(49)

The Government has not included child labor elimination and prevention strategies into the South African Education Action Plan or the National Development Plan.(54, 55)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Child Support Grant (CSG) [†]	Government program, led by the DSD and the South African Social Security Agency, which provides monthly direct cash transfers to primary caregivers who have vulnerable children.(1, 29, 56-58) Helps alleviate economic pressures and lower the cost of raising a child.(1, 57-59) Sources have indicated that as a result of the CSG, recipients may be less likely to send their children away for child labor and children are more likely to have positive educational outcomes.(1, 29, 46) The CSG budget was increased from \$3.2 billion to \$3.5 billion and benefited 12 million children.(19)
Care Dependency Grants and Foster Care Grants [†]	Government program that encourages children to remain in school, as a preventive technique to combat child labor, including its worst forms.(1) To date, about 131,040 children received a care dependency grant.(49)
National School Nutrition Program [†]	Government program funded through a conditional grant that provides school meals to vulnerable children. Targets primary and secondary students.(27, 29, 60) The Government uses tax revenue and continues to provide meals for vulnerable children.(61) During the year, the Government allocated \$428,181 to the program.(49)
Food Relief Program [†]	Food relief program of the DSD and the South African Social Security Agency to assist vulnerable and orphaned children, as well as child-headed households with insufficient income.(25, 26) The program was expanded during the year and funded 140 community nutrition development centers that provided food to half a million people.(49)
Shelters and Care Centers [†]	DSD program that funds 13 shelters and oversees 17 NGO-operated temporary safe care centers for victims of abuse and human trafficking, including children.(8)
Awareness-raising Campaigns [†]	Government program that conducts training on anti-human trafficking initiatives and regulations governing social service providers.(8) DSD trainers reached 114 DSD provincial officials, 2 officials from the Commission for Gender Equality, and 35 NGO social service providers. As a result of the campaigns, suspected cases of the worst forms of child labor were identified and investigated.(49)

[†] Program is funded by the Government of South Africa.

The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(19) Although South Africa has programs that target child labor, and data collected by the South African government indicates the number of children involved in child labor is decreasing, the scope of these programs remains insufficient, including in agriculture and domestic work.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in South Africa (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
Enforcement	Publish information about the number of labor inspections conducted by worksite visits and desk reviews.	2015 – 2016
	Ensure that inspections are carried out in the formal and informal sectors, including on private farms.	2016
	Authorize the labor inspectorate to assess penalties.	2015 – 2016
	Disaggregate the number of complaints received by the hotline to determine the number of suspected child labor violations reported across the country.	2013 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into existing youth policies.	2013 – 2016
Social Programs	Conduct research and collect comprehensive data on child labor, including its worst forms, to inform policies and programs.	2013 – 2016
	Ensure that children with disabilities have equal access to education.	2016
	Ensure that children can complete primary school by subsidizing or defraying the cost of books, uniforms, and other fees.	2009 – 2016
	Institute programs to address the worst forms of child labor in agriculture and domestic work.	2010 – 2016

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South Sudan

NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

In 2016, South Sudan made efforts to eliminate the worst forms of child labor, but was also complicit in the use of forced child labor. Despite initiatives to address child labor, South Sudan is receiving an assessment of no advancement because its national army—the Sudan People’s Liberation Army—recruited, sometimes forcibly, children to fight the opposition group supporting former Vice President Riek Machar. Otherwise, the Government made efforts by removing soldiers from the grounds of 19 schools and assisting in the demobilization of child soldiers from the national army and armed groups. Children in South Sudan are also engaged in other worst forms of child labor, including in commercial sexual exploitation. The Government neither brought to justice those who recruited or used children in armed conflict, nor held accountable perpetrators of any other form of child labor. It also failed to convene its National Steering Committee on Child Labor, conduct any labor inspections, or accede to the UN CRC’s two optional protocols.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in South Sudan engage in the worst forms of child labor, including in armed conflict and commercial sexual exploitation.(1-9) Table 1 provides key indicators on children’s work and education in South Sudan.

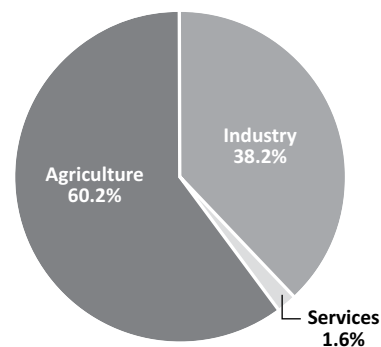
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	45.6 (463,624)
Attending School (%)	6 to 14	31.5
Combining Work and School (%)	10 to 14	10.9
Primary Completion Rate (%)		36.7

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2016.(10)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Fifth Housing and Population Census, 2008.(11)

Figure 1. Working Children by Sector, Ages 10-14



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming activities, including planting and harvesting (2, 12, 13)
	Cattle herding† (2, 4, 13, 14)
Industry	Breaking rocks to make gravel† (15-17)
	Construction,† including building and transporting materials (12, 13, 17, 18)
	Making bricks (4, 17, 18)
	Mining,† activities unknown (13, 19)
Services	Domestic work (1, 13, 14, 20)
	Voluntarily recruited children used in hostilities by state armed groups (4-6, 21)
	Street work, including vending, washing cars, polishing shoes, begging, collecting empty bottles, preparing tea, selling gasoline, ticket-taking for group transport companies, and pushing delivery carts (1, 4, 13, 17, 18, 22-25)
	Cooking and cleaning in restaurants or food stands (1, 4)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Services	Scrap metal and cow dung collection (14, 26)
	Work in slaughterhouses, including transporting livestock and meat (1, 12)
Categorical Worst Forms of Child Labor [‡]	Forced labor in cattle herding, domestic work, construction, brick making, rock breaking, begging, shoe shining, car washing, delivery cart pushing, and market vending (17, 18, 27, 28)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 4, 17, 18, 29)
	Forced recruitment of children by state and non-state armed groups for use in armed conflict (4-9, 30)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

In 2016, the national army—the Sudan People’s Liberation Army (SPLA)—and its aligned forces recruited child soldiers as young as age 12, sometimes forcibly or with the aid of senior politicians and community leaders, to fight against the SPLA-In Opposition (SPLA-IO)—led by former Vice President Riek Machar—and its aligned militias, including the recently formed South Sudan People’s Patriotic Front (Arrow Boys).(4, 7, 8, 30, 31) The South Sudan National Police and Wildlife Services also recruited children during the year.(30) More than 17,000 children are estimated to have been recruited by government and opposition forces since the conflict began in December 2013, with 1,300 being recruited in 2016.(4, 9) Recruitment of children was reported throughout the country, including in Unity, Jonglei, Lakes, and Warrap states, and in the Greater Upper Nile, Greater Bahr el Ghazal, and Greater Equatoria regions.(4, 9, 30, 31)

Boys were forcibly recruited for use in armed conflict, including through abduction at gunpoint from their homes and schools and as a result of coercive threats to confiscate their family’s cattle.(4, 5, 7, 9, 21, 30) Children who joined willingly to protect their communities or after the loss of family members or shelter were ultimately unable to leave the groups at will and instead were used in combat roles.(30) Other boys did not fight, but cooked, collected firewood, herded cattle, washed clothes, carried water and ammunition, carried out patrols, or served as bodyguards.(21, 30) The SPLA and other government security services forcibly recruited girls to serve as child soldiers, during which time they were often coerced into performing sex acts.(4) During the year, families also increasingly placed girls into prostitution to augment household income.(4)

The ongoing conflict continued to impair the Government’s ability to deliver aid, provide education, and address the worst forms of child labor.(2) More than 1 million primary school-age children—more than half of the school-age population—are not attending school.(32-34) Although the Constitution and the Child Act provide for free primary education, in practice many families cannot afford to send their children to school because parents often pay teachers’ salaries—a prohibitive cost for many families.(4, 35-37) Uniform costs, chronic food insecurity, and low levels of birth registration may also impede access to education in South Sudan.(1, 4, 37-42) Many children, particularly those in rural areas, do not have access to schools, often because of the lack of infrastructure, such as roads and school buildings.(35, 36) Other barriers to education include unpaid teacher salaries, high truancy rates among teaching staff, and a shortage of qualified teachers.(4, 37)

During the reporting period, there were 17 incidents of attacks on schools in Jonglei, Upper Nile, Unity, Northern Bahr el Ghazal, and the Equatoria region, which resulted in lootings, destruction of learning materials and infrastructure, attacks on students and teachers, and recruitment of children.(6, 30, 43) The UN also verified 21 new incidents of occupancy and use of schools for military purposes by the SPLA, the South Sudan National Police Service, county authorities, Government-aligned militias, and the SPLA-IO.(30, 43) Despite 19 schools being vacated during the year, in December 2016, 38 schools were still being used for military purposes. The lack of access to education may increase the risk of children’s involvement in the worst forms of child labor.(17) There has not been a comprehensive child labor survey in South Sudan.(4, 44)




II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

South Sudan has ratified some key international conventions concerning child labor (Table 3).

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Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	

The Government did not deposit the necessary documents to accede to the UN CRC's two optional protocols, despite the national Legislative Assembly's passage of a bill in 2013 allowing it to do so.(4, 45)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in South Sudan's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	14	Article 25(3) of the Child Act (46)
Minimum Age for Hazardous Work	Yes	18	Articles 22(3), 24(1), and 25(1) of the Child Act (46)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 25(2) of the Child Act; Article 21(1) of the Sudan Labour Code (46, 47)
Prohibition of Forced Labor	No		Articles 276–278 of the Penal Code; Article 13 of the Constitution (48, 49)
Prohibition of Child Trafficking	Yes		Article 22(3)(b) of the Child Act; Articles 276 and 278–281 of the Penal Code (46, 48)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 22(3)(c) and (d) and 22(4) of the Child Act; Articles 258 and 276 of the Penal Code (46, 48)
Prohibition of Using Children in Illicit Activities	No		Article 24(1) of the Child Act; Article 383(3)(d) of the Penal Code (46, 48)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Article 31(1) of the Child Act; Sections 20, 22(2), and (7) of the Sudan People's Liberation Army Act (46, 50)
State Voluntary	Yes	18	Article 31(1) of the Child Act; Section 22(2) of the Sudan People's Liberation Army Act (46, 50)
Non-state Compulsory	Yes	18	Article 31(1) of the Child Act (46)
Compulsory Education Age	No	13	Article 9.1(b) of the General Education Act (51)
Free Public Education	Yes		Article 6(a) of the General Education Act; Article 14(1) of the Child Act; Article 29.2 of the Constitution (46, 49, 51)

In 2013, the Government drafted an updated list of hazardous work for children, but the list has not yet been finalized.(4, 33, 52) In South Sudan, the minimum age provision for work in the Child Act does not apply to children outside of a formal employment relationship, such as to children performing domestic work.(33, 46, 47) Laws related to illicit activities are also not sufficient because the offering or procurement of children for the production and trafficking of drugs is not criminally prohibited. (51, 53, 54) Children are only required to attend school until age 13. This standard makes children between ages 13 and 14 particularly vulnerable to the worst forms of child labor, considering they are not required to be in school but are also not legally permitted to work.(53) The legal framework lacks penalties for violating provisions prohibiting children under age 18 from engaging in types of hazardous work.(46)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Public Service, and Human Resource Development (MOL)	Develop labor policies, enforce child labor laws, conduct workplace inspections, and oversee the operation of vocational training centers.(4, 46, 55) Through its Child Labor Unit, investigate cases of child labor; however, the Unit was inactive throughout 2016.(4)
Ministry of Gender, Child, and Social Welfare	Coordinate activities on children’s rights and act as the focal ministry for child protection.(56)
Sudan People’s Liberation Army (SPLA) Child Protection Unit	Headed by a Brigadier General. Prevent the recruitment of children into the army, monitor barracks, identify and assist with the release of child soldiers, investigate allegations of child soldiering, and provide training on children’s rights to child protection officers and members of the SPLA.(17, 57, 58) Serve as liaison between the SPLA and the international community.(57)
Ministry of Interior	Enforce criminal laws to combat human trafficking and maintain a database on crime statistics.(59)
Ministry of Justice	Protect citizens’ rights and enforce the Comprehensive Peace Agreement and the Constitution, including child protection provisions in those laws.(60)
South Sudan Police Services	Enforce criminal laws related to the worst forms of child labor.(53)

Labor Law Enforcement

In 2016, labor law enforcement agencies in South Sudan did not take actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (2)	Unknown (4)
Number of Labor Inspectors	Unknown (2, 61)	6 (4)
Inspectorate Authorized to Assess Penalties	Unknown	Yes (4)
Training for Labor Inspectors		
Initial Training for New Employees	No (2)	N/A (4)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (2)	No (4)
Number of Labor Inspections	0 (2, 61)	0 (4)
Number Conducted at Worksite	0 (2, 61)	0 (4)
Number Conducted by Desk Reviews	0 (2, 61)	0 (4)
Number of Child Labor Violations Found	0 (2)	0 (4)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (2)	0 (4)
Number of Penalties Imposed that Were Collected	N/A	N/A
Routine Inspections Conducted	No (2)	No (4)
Routine Inspections Targeted	N/A	N/A
Unannounced Inspections Permitted	Yes (47)	Yes (4)
Unannounced Inspections Conducted	No (2)	No (4)
Complaint Mechanism Exists	No (2)	No (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (2)	Unknown (4)

Officials from the Ministry of Labor, Public Service, and Human Resource Development reported that they lacked sufficient resources, such as vehicles for transport, to conduct labor inspections during the reporting year.(4) Statistics regarding the number of people in South Sudan’s labor force are unavailable; regardless, six labor inspectors are insufficient to address the scope of the country’s child labor problem.(4, 62-64)

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Criminal Law Enforcement

In 2016, criminal law enforcement agencies in South Sudan took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown (2)	Unknown (4)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (2)	N/A (4)
Refresher Courses Provided	Unknown (2)	Unknown (4)
Number of Investigations	0 (17)	0 (4)
Number of Violations Found	1,759 (57, 65-67)	177 (4)
Number of Prosecutions Initiated	0 (2, 17)	0 (4)
Number of Convictions	0 (2, 17)	0 (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (2)	Unknown (4)

Although both the Joint Action Plan to Combat the Use of Child Soldiers and the September 2014 Punitive Order commit the SPLA to holding its military officers accountable for the recruitment or use of children, research found no indication that the Government had either investigated or prosecuted the officers who had allegedly committed such crimes.(4)

In August 2015, the SPLA and SPLA-IO signed the Agreement on the Resolution of the Conflict in South Sudan, in which they committed to immediately and unconditionally releasing all child soldiers under their command or influence to UNICEF; however, these groups released only 177 children in 2016.(4, 9, 68) In October, UNICEF organized the release of 145 children from the Cobra Faction and the SPLA-IO to the National Disarmament, Demobilization and Reintegration Commission (NDDRC) in Jonglei State’s Pibor area.(4, 69-71) UNICEF also organized smaller releases throughout 2016 in Unity State, involving a total of 32 boys associated with the SPLA and other national security forces. Prior to each release, UNICEF and the NDDRC disarmed, screened, and verified each child before transporting the children to an interim care center, tracing the children’s families, and reuniting them with their families.(4, 70, 71)

All child labor violations found in 2016 were related to the identification and removal of children associated with armed groups carried out by the NDDRC in partnership with UN entities.(4) Criminal law enforcement officials failed to investigate any other violations related to the worst forms of child labor.(4)

South Sudan’s justice system faces enormous challenges, such as low capacity, funding shortages, interference by the Government and the SPLA, and a scarcity of judges, prosecutors, and defense attorneys.(17, 37, 57) Prosecutors and law enforcement officials are not familiar with the Child Act’s prohibitions on the worst forms of child labor because the Act has not been adequately disseminated.(53, 56, 72)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee on Child Labor	Coordinate efforts to combat the worst forms of child labor across government ministries; led by the MOL.(2) The National Steering Committee on Child Labor did not convene or coordinate activities to combat child labor in 2016.(4)
National Disarmament, Demobilization, and Reintegration Commission (NDDRC)	Oversee and coordinate the implementation of the Joint Action Plan to Combat the Use of Child Soldiers and reintegrate children formerly engaged in armed conflict.(73) Partnered with UNICEF to release child soldiers from various armed groups.(4, 69-71, 74)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
Joint Action Plan with the United Nations to Combat the Use of Child Soldiers	Requires the SPLA to demobilize children within its ranks.(75) Aims to improve efforts to verify the age of new recruits and provide reintegration services, such as vocational training, to demobilized children.(18, 76, 77) In June 2014, the Government signed an agreement of recommitment to the implementation of the Plan, followed by a work plan in August 2014 and an extension of both in mid-2015.(17, 43, 67, 78, 79) The SPLA-IO signed an action plan with the UN in December 2015.(17, 57, 80) Implementation of the Plans signed by the SPLA and SPLA-IO stalled in the aftermath of the escalation of fighting in July 2016.(30)
Agreement on the Resolution of the Conflict in the Republic of South Sudan	Establishes the structure of a Transitional Government of National Unity and outlines actions to be taken by signatories. Article 1.7.3 prohibits the recruitment and use of child soldiers by armed forces or militias. Article 1.10 requires warring parties to immediately and unconditionally release all child soldiers under their command or influence.(68)
MOL's Policy Framework and Strategic Plan (2012–2016)	Aims to eliminate child labor and support workplace best practices in occupational safety and health.(81, 82) The Government made no efforts to eliminate child labor under this framework during the year.(4)
UNDAF (2012–2016)	Seeks to improve access to and quality of education; includes provisions for social protection and the reintegration of child ex-combatants.(12, 83)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
UNICEF Country Program (2016–2018)	\$115.4 million UNICEF-funded program implemented by the Government that aims to develop child protection systems, with an emphasis on birth registration; develop a child-sensitive justice system; provide basic social services to conflict-affected children and communities (including demobilized children); and provide return, reintegration, and resettlement services for children affected by armed conflict.(37) In May 2016, for example, UNICEF and the UN Mission in South Sudan conducted a series of workshops with the SPLA in Bentiu and Bor to continue dissemination of the UN-SPLA Action Plan and initiate screening, registration, release, family tracing, reunification, and community reintegration for released children. The workshop identified a total of 25 child soldiers at SPLA barracks that were registered for demobilization.(74) Reunified 1,170 unaccompanied, separated, or missing children with their families in 2016.(43)
Children, Not Soldiers Campaign	Ministry of Defense program to raise public and SPLA awareness of child protection principles, and to hold perpetrators accountable for recruiting child soldiers. Also aims to end the recruitment and use of children in armed conflict.(75) In 2016, the United Nations Mission in the Republic of South Sudan trained 670 government officials on child protection under this campaign, including the SPLA, national police, and judicial officers.(84)
Transition Center	State Ministry of Education, Gender, and Social Welfare-administered, UNICEF-funded center in Yambio that provides interim care and support to children and mothers rescued from the Lord's Resistance Army.(17, 43) Further information regarding the work undertaken by this center during the reporting period was unavailable.(84)

Although South Sudan has programs that target child labor, the scope of these programs is insufficient to fully address the scope or extent of the problem, including in commercial sexual exploitation and child soldiering. Reports suggest that the reintegration and rehabilitation services provided to child soldiers are insufficient to meet the total need.(2, 17)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in South Sudan (Table 11).

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Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Complete ratification of the UN CRC Optional Protocol on Armed Conflict and UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography by delivering the necessary documents to the UN. Ratify the Palermo Protocol on Trafficking in Persons.	2013 – 2016
	Extend the protection of minimum age for work to all children.	2012 – 2016
	Ensure that the compulsory education age is equivalent to the minimum age for work.	2013 – 2016
	Ensure that sufficiently dissuasive penalties are established for offenses related to the employment of children in hazardous work.	2016
	Ensure that the use of children for illicit activities is sufficiently defined and criminalized in relevant laws.	2015 – 2016
Enforcement	Ensure that the Child Act's minimum age of 18 years for voluntary military recruitment is enforced by ending all recruitment and use of children under age 18 by the SPLA, the SPLA-IO, or associated militias.	2012 – 2016
	Cease all military use of schools and school compounds.	2015 – 2016
	Significantly increase the number of labor inspectors responsible for enforcing laws related to child labor in accordance with the ILO's standards.	2016
	Provide sufficient human and financial resources and train personnel for effective inspection and enforcement efforts. Ensure that prosecutors and law enforcement officials are familiar with the Child Act's prohibitions on the worst forms of child labor and are trained in implementing all laws related to child labor. Institutionalize training for labor inspectors and criminal law enforcement personnel, as well as new employees.	2012 – 2016
	Strengthen the inspectorate's role to include investigating worksites (onsite), conducting unannounced inspections, and initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2015 – 2016
	Establish a mechanism to receive child labor complaints.	2015 – 2016
	Establish referral mechanisms for labor inspectors, criminal law enforcers, and social services providers to facilitate effective enforcement of labor and criminal laws and to implement social programs that address child labor issues.	2014 – 2016
	Prosecute perpetrators of child labor violations, including government officials.	2015 – 2016
	Track and make publicly accessible information on the number of child labor investigators; types of investigations; areas of investigations; and citations, penalties, prosecutions, and convictions for crimes involving child labor, including its worst forms.	2012 – 2016
	Investigate, prosecute, and punish with adequate penalties that constitute an effective deterrent officers in all former warring parties responsible for the recruitment or use of children in armed conflict. Pending investigations, suspend from their positions any commanders who are credibly alleged to have recruited and used child soldiers or who have allowed soldiers to occupy schools.	2013 – 2016
Coordination	Ensure that the National Steering Committee on Child Labor convenes and is able to coordinate activities to combat child labor.	2013 – 2016
Government Policies	Ensure that policies, such as the Joint Action Plan to Prevent the Use of Child Soldiers, Article 1.10 of the Agreement on the Resolution of the Conflict in South Sudan, and the MOL's Policy Framework and Strategic Plan, are implemented.	2012 – 2016
Social Programs	Strengthen efforts to lessen the potential impact of food insecurity and the high cost of living on rural populations' ability to educate children.	2012 – 2016
	Improve access to education by addressing the lack of school infrastructure in rural areas and registering all children at birth.	2012 – 2016
	Ensure that children complete their primary education by subsidizing or defraying the cost of school uniforms and teachers' salaries. Resume paying teacher salaries in areas that have been under the control of opposition forces during the conflict.	2014 – 2016
	Conduct a national child labor survey, including research to determine the activities carried out by children, in order to inform policies and social programs.	2013 – 2016
	Cooperate with child protection agencies, pursuant to Article 1.10 of the Agreement on the Resolution of the Conflict in South Sudan, to disarm and immediately release children within armed forces and aligned militias, and transfer them to appropriate civilian rehabilitation and reintegration programs that include education and vocational training, as well as necessary counseling. Ensure that the rehabilitation services provided to child soldiers are sufficient.	2014 – 2016
	Increase the scope of social programs to reach more children at risk of child labor, including in commercial sexual exploitation.	2012 – 2016

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Sri Lanka

MODERATE ADVANCEMENT

In 2016, Sri Lanka made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government raised the compulsory age for education from 14 to 16. For the first time, the Department of Labor targeted for inspection establishments with a high risk of hazardous child labor. The Government also collected data for the Child Activity Survey during the reporting period. Children in Sri Lanka perform dangerous tasks in domestic work. Children also engage in the worst forms of child labor, including in commercial sexual exploitation. There are no laws regulating employment in third-party households, which leaves children ages 14 to 18 employed as domestic workers vulnerable to exploitation. Children also face barriers to education, including lack of transportation and inadequate number of teachers.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Sri Lanka perform dangerous tasks in domestic work. Children in Sri Lanka also engage in the worst forms of child labor, including in commercial sexual exploitation.(1, 2) Table 1 provides key indicators on children's work and education in Sri Lanka.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	9.2 (302,865)
Attending School (%)	5 to 14	97.8
Combining Work and School (%)	7 to 14	10.4
Primary Completion Rate (%)		98.0

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(3)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Child Activity Survey, 2008–2009.(4)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, activities unknown (1, 2, 5)
	Fishing (2, 5)
Industry	Manufacturing, activities unknown (1, 2)
	Mining,† including gem mining† (2, 6)
	Construction, activities unknown (2)
Services	Domestic work (2, 7)
	Transportation, activities unknown (2)
	Street vending and begging (2)

Figure 1. Working Children by Sector, Ages 5-14

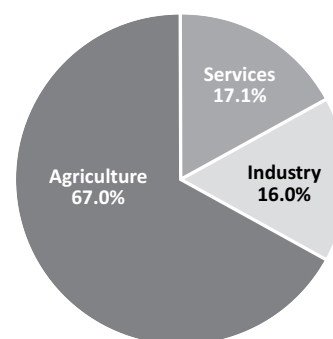


Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [†]	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 2, 8, 9)
	Forced labor in domestic work, sometimes as a result of human trafficking (2, 9)
	Forced labor in farming, fish-drying, and begging (10)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

There are reports of children from tea estates being trafficked internally to perform domestic work in Colombo; their payments are withheld and their movements are restricted.(2, 9) Children, predominantly boys, are also forced into commercial sexual exploitation in coastal areas as part of the sex tourism industry.(2, 9)




In addition, some children in rural areas face barriers to accessing education, including difficulties traveling to school in some regions, lack of sanitation and clean water in schools, and an inadequate number of teachers.(11, 12)

In 2016, the Department of Census and Statistics collected data for the Child Activity Survey, which includes data on child labor and hazardous child labor. The results of the survey will be published in 2017.(12, 13)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Sri Lanka has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, a gap exists in Sri Lanka’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	14	Section 13 of the Employment of Women, Young Persons, and Children Act (14)
Minimum Age for Hazardous Work	Yes	18	Section 20A of the Employment of Women, Young Persons, and Children Act (14)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Sections 20A and 31 of the Employment of Women, Young Persons, and Children Act; Hazardous Occupations Regulation No. 47 (14, 15)
Prohibition of Forced Labor	Yes		Sections 358A, 360C, 360A(2), and 360A(4) of the Penal Code (16)
Prohibition of Child Trafficking	Yes		Sections 360C, 360A(2), and 360A(4) of the Penal Code (16)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 286A, 360B, 360A(2), and 360A(4) of the Penal Code (16)
Prohibition of Using Children in Illicit Activities	Yes		Sections 288, 288A, 288B, and 360C of the Penal Code (16)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Sections 20A and 31 of the Employment of Women, Young Persons, and Children Act; Section 2(xviii) of the Hazardous Occupations Regulation No. 47 (14, 15)
Non-state Compulsory	Yes	18	358(1)(d) of the Penal Code; Sections 20A and 31 of the Employment of Women, Young Persons, and Children Act; Section 2(xviii) of the Hazardous Occupations Regulation No. 47 (14-16)
Compulsory Education Age	Yes	16	Section 43 of the Education Ordinance; Compulsory Attendance of Children at Schools Regulation (17, 18)
Free Public Education	Yes		Section 47 of the Education Ordinance (17)

*No conscription (19)

In 2016, Sri Lanka raised the compulsory age of education from 14 to 16 years.(17, 18)

There are no laws regulating employment in third-party households, leaving children ages 14 to 18 who are employed as domestic workers vulnerable to exploitation.(7)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor, Ministry of Labor and Trade Union Relations (MOLTUR)	Enforce child labor laws and receive public complaints of child labor filed in national and district-level offices. Refer cases involving the worst forms of child labor to the police and National Child Protection Authority (NCPA).(12) Conduct special investigations in relation to child labor through the Women and Children's Affairs Division.(20)
Children and Women's Bureau of the Sri Lankan Police (CWBSLP)	Enforce laws on child labor, child trafficking, commercial sexual exploitation of children, and the use of children in illicit activities.(12)
NCPA Special Police Investigation Unit	Inspect premises, interrogate people, and seize property suspected to be involved with child abuse, including unlawful child labor.(21, 22)
Department of Probation and Child Care Services	Coordinate services for child victims of forced labor, human trafficking, and commercial sexual exploitation who have been referred to the Department of Probation and Child Care Services by the police and the court. Refer children to centers that provide shelter, medical and legal services, psychological counseling, and life and vocational skills training.(12, 23, 24)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Sri Lanka took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	389 (20)	391 (12)
Inspectorate Authorized to Assess Penalties	No (14)	No (12)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (20)	Unknown
Number of Labor Inspections	57,265 (20)	24,778+ (12)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	129 (20)	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	2 (20)	Unknown
Number of Penalties Imposed That Were Collected	Unknown	Unknown
Routine Inspections Conducted	Yes (25)	Yes (25)
Routine Inspections Targeted	Yes (25)	Yes (25)
Unannounced Inspections Permitted	Yes (14)	Yes (14)
Unannounced Inspections Conducted	Yes (26)	Yes (12)
Complaint Mechanism Exists	Yes (27)	Yes (27)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (27)	Yes (27)

† Data are from January 2016 to September 2016.

The number of labor inspectors is insufficient for the size of Sri Lanka's workforce, which includes over 9 million workers. According to the ILO's recommendation of 1 inspector for every 20,000 workers in transitioning economies, Sri Lanka should employ roughly 453 inspectors.(28-30)

In 2016, for the first time, the Department of Labor targeted establishments with a high risk of hazardous child labor by conducting 380 inspections at 450 establishments.(12)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Sri Lanka took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Unknown	Unknown
Number of Investigations	Unknown	147 (12)
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown	3 (12)
Number of Convictions	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (31)	Yes (31)

The Children and Women's Bureau of the Sri Lankan Police (CWBSLP) is staffed by 45 officers in 36 of the country's 460 police stations. In police stations without CWBSLP representation, the officer in charge oversees all the functions of the CWBSLP.(22) In addition, the National Child Protection Authority (NCPA) Special Police Investigating Unit has approximately 40 police officers who investigate complaints involving children, including child labor. The agency also has approximately 300 child protection officers based in the districts who are tasked with preventing child exploitation and victim protection.(12) However, both the CWBSLP and the NCPA face a shortage of funds that affects their ability to carry out their mandates.(22)

Research has found no evidence that the Government of Sri Lanka has investigated, prosecuted, or convicted individuals from non-state armed groups who recruited children in the past for use in armed conflict.(32-35)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee on Child Labor	Coordinate the implementation of the Roadmap to End the Worst Forms of Child Labor, the Government’s key policy document for the elimination of the worst forms of child labor. Chaired by the Secretary of MOLTUR, includes representatives from key government agencies, employer and workers’ organizations, ILO, UNICEF, and NGOs.(36).
NCPA	Coordinate and monitor activities related to the protection of children, including activities to combat the worst forms of child labor. Consult with the relevant government ministries, local governments, employers, and NGOs, and recommend policies and actions to prevent and protect children from abuse and exploitation.(37)
National Anti-Trafficking Task Force	Coordinate interagency efforts to address all human trafficking issues, including commercial sexual exploitation and forced labor. Led by the Ministry of Justice and includes representatives from a range of government agencies, including the Ministry of Social Services, Ministry of Women and Child Affairs, Labor Secretariat, NCPA, Department of Probation and Child Care, Police Criminal Division, and Bureau for the Prevention of Abuse to Women and Children.(38, 39)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor†

Policy	Description
Sri Lanka’s Roadmap 2016 on the Worst Forms of Child Labor (2011–2016)	Specifies time-bound goals to develop or strengthen the management, coordination, implementation, resource mobilization, and reporting of programs that will lead to the elimination of the worst forms of child labor by 2016.(40) Provide district-level mainstreaming strategies to address specific sectors of child labor, including armed conflict, plantations, fisheries, and tourism. Outlines strategies to include child labor issues in social protection and education goals.(40)
National Strategic Plan to Monitor and Combat Human Trafficking (2015–2019)	Aims to combat human trafficking by raising stakeholder awareness, improving victim protection services, increasing prosecution of human trafficking cases, and conducting research and data collection. Seeks also to improve coordination among the Anti-Trafficking Task Force members.(39, 41)

† The Government had other policies that may have addressed child labor issues or had an impact on child labor.(31, 42, 43)

Although the Government is drafting a new Child Labor Policy, Sri Lanka does not currently have a national policy to address child labor.(12, 44). The National Education Sector Development Framework and Program (2013-2017), which seeks to improve children’s access to the school system, does not explicitly include child labor elimination and prevention strategies. (12, 45)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Child Labor Free Zone by 2016†	Local government initiatives that seek to eliminate child labor through the identification of children engaged in child labor, a rehabilitation program, assistance to families of children at risk of engaging in child labor, and an awareness-raising campaign. Operated by the district secretariats, with assistance from MOLTUR, and with technical and financial support from the ILO.(46) During 2016, the program was extended to the remaining 19 districts in Sri Lanka.(12)
‘1929’ Childline Sri Lanka†	NCPA-funded and operated 24-hour toll-free emergency telephone service for vulnerable and abused children. Connects children in need of help to direct assistance and rehabilitation services.(47)
Shelter for Victims of Human Trafficking	Ministry of Women and Child Affairs shelter provides female victims of human trafficking and children with safe shelter and access to medical, psychological, and legal assistance.(31, 38)
<u>Country Level Engagement and Assistance to Reduce Child Labor (CLEAR)</u>	USDOL-funded capacity-building project implemented by the ILO in at least 10 countries to build local and national capacity of the government to address child labor.(44) In 2016, worked with MOLTUR to finalize the National Child Labor Policy and implemented the Rapid Assessment of Commercial Sexual Exploitation of Children.(44) For additional information, please see our Web site .

Table 10. Key Social Programs to Address Child Labor (cont)

Program	Description
Supporting the Roadmap to 2016 Through Expanding the Evidence Base and Reinforcing Policy Research for Scaling-up and Accelerating Action Against Child Labor	USDOL-funded research project implemented by the ILO in seven countries, including Sri Lanka, to accelerate country level actions to address child labor by collecting new data, analyzing existing data, building capacity of governments to conduct research in this area, and supporting governments, social partners, and other stakeholders to identify areas of policy intervention against child labor. In 2016, data were collected and analyzed for Sri Lanka's Child Activity Survey.(13) For additional information, please see our Web site .
Decent Work Country Program (2013–2017)	ILO technical assistance project detailing the policies, strategies, and results required to make progress toward the goal of decent work for all. Includes four strategies to reduce the worst forms of child labor: (1) capacity-building for mainstreaming worst forms of child labor into sectorial plans and programs, (2) area-based integrated approach within districts, (3) strengthening institutional mechanisms for improved coordination and monitoring, and (4) development of a knowledge base for tracking progress.(48)

† Program is funded by the Government of Sri Lanka.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Sri Lanka (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the legal framework includes protections for children engaged in domestic work.	2010 – 2016
Enforcement	Publish information on labor law enforcement, including funding for the labor inspectorate and number of child labor violations, penalties imposed, and penalties collected. Publish information on criminal law enforcement actions, including the number of violations and convictions related to the worst forms of child labor.	2014 – 2016
	Authorize the labor inspectorate to assess penalties for labor law violations.	2015 – 2016
	Hire a sufficient number of labor inspectors for the size of Sri Lanka's workforce.	2016
	Provide additional funding for the CWBSLP and the NCPA to adequately investigate forced labor, child trafficking, and the commercial sexual exploitation of children.	2011 – 2016
	Prosecute individuals who have violated laws related to children's exploitation in armed conflict.	2009 – 2016
Government Policies	Adopt a national child labor policy.	2016
	Ensure that child labor elimination and prevention strategies are explicitly integrated into existing education policies.	2014 – 2016
Social Programs	Eliminate barriers to education, including difficulties with transportation to schools, lack of sanitation and clean water in rural schools, and an inadequate number of teachers.	2012 – 2016

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In 2016, Suriname made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government renewed the mandate of the Anti-Trafficking Working Group and raised awareness on human trafficking. However, children in Suriname perform dangerous tasks in mining. Children also engage in the worst forms of child labor, including in commercial sexual exploitation. Existing social programs are insufficient to address child labor, including its worst forms. Suriname has not increased the compulsory education age to extend the minimum age for employment and does not collect or publish data on child labor inspections and violations.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Suriname perform dangerous tasks in mining. Children also engage in the worst forms of child labor, including in commercial sexual exploitation. (1-11) Table 1 provides key indicators on children's work and education in Suriname.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	6.4 (6,671)
Attending School (%)	5 to 14	95.8
Combining Work and School (%)	7 to 14	6.6
Primary Completion Rate (%)		94.6

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(12)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2010.(13)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Harvesting crops, applying pesticides,† carrying heavy loads† (1, 3, 7) Fishing and forestry (11)
Industry	Mining, particularly gold mining (1-5, 7, 9-11, 14) Construction,† including carrying heavy loads† (1)
Services	Street work, including vending (1, 3-5, 7, 15) Domestic work (11)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 3-11, 16)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.




Children in Suriname, predominantly boys, work in small-scale gold mines carrying heavy loads and risking exposure to mercury, excessive noise, extreme heat, and collapsing sand walls.(2, 7, 10, 14) Children, including from Guyana, are subjected to commercial sexual exploitation in Suriname, sometimes as a result of human trafficking, including in informal mining camps in the country's remote interior.(3-5, 8, 9, 11, 15-17)

Although Suriname's net attendance ratio for primary school is 95 percent, it is only 59 percent for secondary school. Research indicates secondary school attendance in the interior is even lower, at 21 percent, with distance and transportation costs making it difficult for children to access schools.(1, 10, 18) Students from low income households, particularly in the interior, may be adversely impacted by the Government's September 2016 introduction of a school supplies fee to help cover operational costs of public primary and secondary schools. (1, 19)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Suriname has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

In August, the National Assembly approved Suriname's accession to ILO C. 138, Minimum Age, and the Ministry of Labor is drafting the ratification document.(1)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Suriname's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Article 17 of the Labor Code (20)
Minimum Age for Hazardous Work	Yes	18	Articles 18 and 20 of the Labor Code (20)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 2 and 3 of the Decree on Hazardous Labor; Articles 20 and 21 of the Labor Code (20, 21)
Prohibition of Forced Labor	Yes		Article 15 of the Constitution; Article 334 of the Penal Code (22, 23)
Prohibition of Child Trafficking	Yes		Articles 307 and 334 of the Penal Code (23)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 293, 303, and 306 of the Penal Code (23)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 9 of the Legal Status of Military Personnel Act (24, 25)
Non-state Compulsory	No		
Compulsory Education Age	No	12	Article 39 of the Constitution; Article 20 of the Law on Basic Education (2, 5, 22, 26)
Free Public Education	Yes		Articles 38 and 39 of the Constitution (22)

* No conscription (24)

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Article 20 of the Law on Basic Education requires children to attend school until they are at least age 12.(26) This leaves children between ages 12 and 14 particularly vulnerable to the worst forms of child labor, as they are no longer required to attend school but are not yet legally permitted to work.(2) Although the Constitution guarantees free public education for all citizens, sources indicate that a small number of children born in Suriname to foreign parents before the September 2014 amendment to the Citizenship and Residency Law, granting citizenship to children of foreign born parents, remain ineligible to receive citizenship and free public education.(10, 22, 27, 28)

The Penal Code establishes penalties for the production and trafficking of drugs, but does not appear to specifically prohibit the use, procuring, and offering of a child in the production and trafficking of drugs.(23) Surinamese law does not prohibit non-state armed groups from recruiting children under age 18.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor	Enforce laws related to child labor in the formal sector.(2, 4)
Police	Enforce criminal laws related to child labor. Monitor and enforce child labor laws in the informal sector, including on the streets.(3-5) The Youth Affairs Police covers law enforcement involving children under age 18 and is jointly responsible for child labor-related crimes.(3, 4) The Police Trafficking in Persons Unit investigates reports and allegations of human trafficking and forced sexual exploitation nationwide, including cases involving children.(4, 5)
Prosecutor's Office	Investigate and prosecute human trafficking cases.(7)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Suriname took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (7)	Unknown (1)
Number of Labor Inspectors	Unknown (7)	73 (1)
Inspectorate Authorized to Assess Penalties	Yes (7)	Yes (1)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown (7)	Yes (1)
Training on New Laws Related to Child Labor	Unknown (7)	N/A
Refresher Courses Provided	Unknown (7)	Yes (1)
Number of Labor Inspections	Unknown* (7)	Unknown* (1)
Number Conducted at Worksite	Unknown* (7)	Unknown* (1)
Number Conducted by Desk Reviews	Unknown* (7)	Unknown* (1)
Number of Child Labor Violations Found	Unknown* (7)	Unknown* (1)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown* (7)	Unknown* (1)
Number of Penalties Imposed that Were Collected	Unknown* (7)	Unknown* (1)
Routine Inspections Conducted	Yes (7)	Yes (1)
Routine Inspections Targeted	No (7)	No (1)
Unannounced Inspections Permitted	Yes (7)	Yes (1)
Unannounced Inspections Conducted	Yes (7)	Yes (1)
Complaint Mechanism Exists	Yes (1)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (7)	No (1)

* The Government does not publish this information.

The Ministry of Labor noted there are insufficient labor inspectors to provide adequate coverage to ensure the enforcement of labor laws, particularly in agricultural areas, fisheries, and in the country's interior, which is difficult to reach and monitor. Labor inspections are mainly conducted near coastal areas, and the Government does not collect or publish data on child labor inspections and violations.(1, 8, 29) Labor inspectors are not authorized to monitor the informal sector.(10)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Suriname took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (7)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (7)	N/A (1)
Refresher Courses Provided	Yes (7)	Yes (1)
Number of Investigations	7 (8)	4 (30)
Number of Violations Found	Unknown (7)	2 (30)
Number of Prosecutions Initiated	7 (8)	1 (30)
Number of Convictions	0 (8)	2 (30)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (7)	No (1)

In 2016, the Police Trafficking in Persons Unit employed 14 investigators to respond to human trafficking cases. This number is inadequate and, according to the Prosecutor's Office, investigations are initiated only as a result of complaints filed and are limited by a lack of resources, especially for travel to the interior of the country.(1, 17, 31, 32) Law enforcement efforts are also limited by the lack of formal processes for victim referrals. When the Youth Affairs Police find children working on the street, these children are sometimes registered and sent home without referrals to any relevant services.(4, 5, 32) Although in 2016 the Government of Suriname opened a specialized shelter for women and girls who are victims of human trafficking and provided shelter, basic services, medical assistance, and counseling to one male child victim of human trafficking, overall the Government does not provide sufficient support to child victims of human trafficking and commercial sexual exploitation.(3, 8, 16, 17)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established a coordination mechanism on human trafficking, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Anti-Trafficking Working Group	Coordinate the Government's anti-human trafficking efforts.(3-5) Provide care to victims of trafficking through government-supported NGOs.(5, 33) Comprised of seven members, six from government agencies and one representing the NGO community. Initiatives include organizations that target the worst forms of child labor, such as the commercial sexual exploitation of children.(3-5) The group's mandate was renewed in January 2016, and throughout the reporting period the group worked to raise awareness on identifying human trafficking cases and establish partnerships with NGOs to provide outreach to vulnerable groups.(1)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
Roadmap to Combat Human Trafficking in Suriname (2014–2018)	Outlines a policy to combat human trafficking through 2018.(31)

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The Government is in the initial stages of developing a new National Action Plan to eliminate child labor and will begin drafting it after results from the national child labor survey are available.(1, 34) Research found no evidence that the Roadmap to Combat Human Trafficking in Suriname has been implemented.(7, 8, 19)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
<u>Country-Level Engagement and Assistance to Reduce Child Labor (CLEAR) (2013–2017)</u>	USDOL-funded capacity-building project implemented by the ILO in 11 countries to build the local and national capacity of the Government to address child labor. Aims to improve monitoring and enforcement of laws and policies related to child labor in Suriname; will implement a National Action Plan on the elimination of child labor and support a national child labor survey (NCLS).(34) In 2016, trained 28 labor inspectors on child labor and signed an agreement to conduct the NCLS in early 2017.(1) For additional information about USDOL's work, please visit our Web site .
Child and Youth Hotline†	Government-run hotline provides confidential advice to children in need, including victims of the worst forms of child labor.(31) Receives approximately 80 calls per day.(17)
Anti-Trafficking Hotline†	Government-sponsored hotline through which citizens can provide information to the police about trafficking cases.(31)
Human Trafficking Awareness Program†	Government-funded anti-human trafficking awareness campaign for press, radio, television, Internet, and social media.(5, 7, 26, 33) During the reporting period, provided awareness training to some government officials and stakeholders that work in areas with potential human trafficking.(17)
Second Basic Education Improvement Program (2015–2040)	\$20 million IDB-funded, 25-year loan implemented by the Ministry of Education to develop curriculum and textbooks, provide teacher training, renovate classrooms, build housing for teachers in the interior, and build a center for teacher training and professional development. Aims to benefit 90,000 students and 6,500 teachers.(7, 35)

† Program is funded by the Government of Suriname.

While the Government continues to support initiatives to eradicate child labor, existing social programs are insufficient to fully address the problem. In particular, Suriname lacks programs to assist children who are subjected to commercial sexual exploitation or who work in mining or agriculture.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Suriname (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the use, procuring, and offering of a child for illicit activities, including in the production and trafficking of drugs.	2015 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 into non-state armed groups.	2016
	Increase the compulsory education age to at least 14, the minimum age for work.	2009 – 2016
	Ensure that all children, including children of foreign-born parents, have access to free public education.	2015 – 2016
Enforcement	Make information on labor law enforcement efforts publicly available, including the labor inspectorate's funding levels, as well as the number of annual labor inspections conducted at worksites or by desk review, child labor violations identified, and penalties imposed and collected for child labor violations.	2012 – 2016
	Strengthen the labor inspectorate by authorizing labor inspections in the informal sector and initiating targeted inspections based on the analysis of data related to risk-prone sectors and patterns of serious incidents, such as in fisheries and in the interior of the country, particularly in mining and agricultural areas where child labor is likely to occur.	2015 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Allocate sufficient funding to ensure that criminal law enforcement officers have the resources necessary to conduct investigations, particularly in the interior of the country and in informal mining areas.	2014 – 2016
	Create a formal mechanism to refer victims of child labor, forced labor, and human trafficking identified by labor or criminal law enforcement authorities to the appropriate social services.	2010 – 2016
Coordination	Establish a formal mechanism to coordinate government efforts to address child labor, including all its worst forms.	2015 – 2016
Government Policies	Develop and implement a National Action Plan on the elimination of child labor.	2015 – 2016
	Strengthen efforts to prevent and eradicate the trafficking of children, including for commercial sexual exploitation, by implementing the Roadmap to Combat Human Trafficking (2014–2018).	2015 – 2016
Social Programs	Develop social programs to prevent and eradicate child labor in agriculture and mining and to improve secondary school attendance, particularly in the interior.	2015 – 2016
	Strengthen social services and shelters to assist child victims of commercial sexual exploitation and human trafficking.	2014 – 2016

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In 2016, Swaziland made efforts to eliminate the worst forms of child labor, but was also complicit in the use of forced child labor. While the Government continued its Free Public Education Program by paying school fees for children up to grade seven, Swaziland is receiving an assessment of no advancement because local chiefs continued to force children to engage in agricultural and domestic work. Penalties for refusing to perform this work included evicting families from their village and confiscating livestock. Children in Swaziland are also engaged in the worst forms of child labor, including in forced domestic work and livestock herding. Significant gaps in laws remain, including the lack of a compulsory education age, and social programs do not adequately address child labor in domestic work and livestock herding.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Swaziland engage in the worst forms of child labor, including in forced domestic work and livestock herding.(1-4) Table 1 provides key indicators on children’s work and education in Swaziland.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	11.7 (35,368)
Attending School (%)	5 to 14	92.5
Combining Work and School (%)	7 to 14	13.0
Primary Completion Rate (%)		79.0

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2016.(5)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Multiple Indicator Cluster Survey 4, 2010.(6)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Growing corn, picking cotton, and harvesting sugarcane (1, 3, 4, 7)
	Herding cattle and other livestock (1, 3, 4, 7-9)
Services	Domestic work (1, 3, 4, 7, 8)
	Street work, including as vendors, bus attendants, taxi conductors, portering, and washing cars (2-4, 7, 8, 10, 11)
Categorical Worst Forms of Child Labor‡	Forced labor in livestock herding, domestic work, farming, and market vending, each sometimes as a result of human trafficking (2, 9, 12)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 2, 12)
	Use in illicit activities, including growing, manufacturing, and selling drugs (7, 13)

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Due to a lack of law enforcement, local chiefs continue to operate under Act No. 6 of the 1998 Administrative Order that was declared null and void by the Swaziland High Court in 2000.(14) The Administrative Order gave local chiefs the authority to force residents to perform agricultural work and other essential tasks.(9, 15) In 2016, local chiefs and their inner councils continued to force residents, including children, to perform agriculture and domestic work.(9, 15-17) Residents who refused to perform this work were threatened by the local chiefs with eviction and confiscation of livestock. (18, 19)

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Swazi children, especially girls and orphans, are trafficked within and outside the country to neighboring countries like South Africa for commercial sexual exploitation and forced labor in agriculture and domestic work.(9, 20) Some Mozambican boys migrate to Swaziland and become victims of human trafficking and are subsequently forced to conduct street work and herd livestock.(20) In addition, local NGOs identified regions such as Lubombo and Manzini where children are most vulnerable to the worst forms of child labor.(9) To compound the issue, Swazi children have become increasingly vulnerable to the worst forms of child labor due to the high prevalence of HIV, low economic growth, and high poverty levels.(20-24) Children, especially those with disabilities, have difficulty accessing education due to top-up fees or stigmatization by the public.(14, 24) The Government has yet to collect comprehensive data on child labor to inform policies and social programs.

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Swaziland has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Swaziland’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	15	Article 234 of the Children’s Protection and Welfare Act (25)
Minimum Age for Hazardous Work	Yes	18	Article 236 of the Children’s Protection and Welfare Act (25)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 16, 233, 236, and 237 of the Children’s Protection and Welfare Act (25)
Prohibition of Forced Labor	Yes		Article 17 of the Constitution; Article 75 of the Children’s Protection and Welfare Act; Article 13 of the People Trafficking and People Smuggling (Prohibition) Act (25-27)
Prohibition of Child Trafficking	Yes		Article 75 of the Children’s Protection and Welfare Act; Article 13 of the People Trafficking and People Smuggling (Prohibition) Act (25, 27)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 43–46 of the Crimes Act; Sections 1–5 and 7 of the Obscene Publications Act; (10, 28)
Prohibition of Using Children in Illicit Activities	Yes		Articles 16 and 49 of Children’s Protection and Welfare Act (25)
Minimum Age for Compulsory Military Recruitment	N/A*		
State Compulsory	N/A*		Section 17(3) of the Umutfo Swaziland Defence Force Order (29)
State Voluntary	Yes	18	Section 17(3) of the Umutfo Swaziland Defence Force Order (29)
Non-state Compulsory	No		Umutfo Swaziland Defence Force Order (29)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Compulsory Education Age	No		
Free Public Education	Yes		Section 3 of the Free Primary Education Act (30)

* No conscription (29)

The Sexual Offenses and Domestic Violence Bill is still under review in Parliament and has yet to be passed into law. Sections 13–15 and 23–28 of the bill would criminalize using, procuring, and offering a child for commercial sexual exploitation.(28) Section 97 of the Employment Act applies minimum age protections to children working in industrial undertakings, but it does not cover children working in domestic and agricultural work.(31) Under Articles 233, 236, and 237 of the Children's Protection and Welfare Act, children are prohibited from engaging in hazardous work in industrial undertakings, including in mining, manufacturing, and electrical work; however, these prohibitions do not extend to children in domestic and agricultural work. Evidence indicates that children may be working long hours, using dangerous machines, carrying heavy loads, exposed to harmful pesticides, and working alone in remote areas.(4, 25)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MLSS)	Enforce child labor laws and promote relations between labor, government, and business through tripartite dialogue.(1, 32)
Royal Swaziland Police	Enforce child labor laws. The Domestic Violence and Protection Unit focuses primarily on addressing child labor by educating police officers on how to identify child labor violations and on their obligation to report violations.(1, 32)
Department of Social Welfare	Enforce child labor laws and protect the interests of vulnerable populations, including orphans, children, and elderly people.(1, 32)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Swaziland took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown* (3)	Unknown* (14)
Number of Labor Inspectors	30 (3)	20 (14)
Number of Child Labor Dedicated Inspectors	3 (3)	1 (14)
Inspectorate Authorized to Assess Penalties	No (3)	No (14)
Training for Labor Inspectors		
Initial Training for New Employees	N/A (3)	Yes (14)
Training on New Laws Related to Child Labor	N/A (3)	N/A (14)
Refresher Courses Provided	No (3)	Unknown* (14)
Number of Labor Inspections	Unknown* (3)	Unknown* (14)
Number Conducted at Worksite	Unknown* (3)	Unknown* (14)
Number Conducted by Desk Reviews	0* (3)	0 (14)
Number of Child Labor Violations Found	0* (3)	0 (14)
Number of Child Labor Violations for Which Penalties Were Imposed	0* (3)	N/A (14)
Number of Penalties Imposed That Were Collected	0* (3)	N/A (14)

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Routine Inspections Conducted	Yes (3)	Yes (14)
Routine Inspections Targeted	Yes (3)	Unknown* (14)
Unannounced Inspections Permitted	Yes (3)	Yes (14)
Unannounced Inspections Conducted	Yes (3)	Yes (14)
Complaint Mechanism Exists	No (3)	No (14)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (14)

* The Government does not make this information publicly available.

The Ministry of Labor and Social Security (MLSS) and NGOs noted that labor inspectors lacked sufficient resources, such as vehicles to conduct inspections.⁽³⁾ The number of labor inspectors is insufficient for the size of Swaziland's workforce, which comprises more than 446,000 workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Swaziland should employ roughly 30 labor inspectors.⁽³³⁻³⁵⁾

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Swaziland took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown (3)	N/A (14)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (3)	Unknown (14)
Refresher Courses Provided	Yes (8)	Unknown (14)
Number of Investigations	Unknown (3)	Unknown (14)
Number of Violations Found	0 (3)	0 (14)
Number of Prosecutions Initiated	0 (3)	0 (14)
Number of Convictions	0 (3)	0 (14)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (14)

In 2016, the Government of Swaziland, in collaboration with UNODC, developed a Victim Identification Guidelines and Referral Mechanism to assist victims of trafficking. The guidelines are used by law enforcement agencies and include tips on identifying, protecting, investigating, documenting, and reuniting victims of trafficking.⁽³⁶⁾ During the reporting year, a Swazi man was arrested for trafficking three minors across the South African border.⁽³⁷⁾

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Trafficking in Persons Secretariat	Coordinate, monitor, and implement programs to combat trafficking in persons, with the assistance of the Anti-Human Trafficking Task Force. ⁽³⁷⁾
Anti-Human Trafficking Task Force	Exchange information on cases of human trafficking between relevant stakeholders, including the police, immigration, social services, and prosecutors. Comprises a conglomerate of NGOs and government entities, including the Royal Swaziland Police, Director of Public Prosecutions, Attorney General's Office, Department of Social Welfare, Department of Health, Ministry of Foreign Affairs, and MLSS. ^(1, 38)

Although the Government has coordinating mechanisms that focus on TIP, there are no coordination bodies that focus on child labor issues such as children working in agriculture and domestic work.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plan of Action for Children	Implements the Children’s Protection and Welfare Act mandate by developing a plan to address child labor, especially in hazardous work.(38)
National Children’s Policy	Represents the policy framework of the Children’s Protection and Welfare Act.(38)
National Plan of Action for Orphans and Vulnerable Children	Supports strategic objectives, such as providing education, psychosocial support, child protection, research and monitoring, and support to help orphans and vulnerable children enroll in school. Identifies child laborers as a vulnerable group of children.(39)
National Strategic Framework and Action Plan to Combat People Trafficking	Assigns responsibilities to relevant government agencies on trafficking in persons.(40)

The Government’s National Task Team developed a draft Action Program on the Elimination of Child Labor (APEC) in 2008, but it has yet to be approved. A new draft APEC was developed in 2014, but the MLSS has yet to present it to the tripartite body, the Labor Advisory Board, for consultations.(3, 14) Child labor elimination and prevention strategies are not included in the Education Sector Policy and National Social Development Policy.(38, 41)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Global Action Program on Child Labor Issues (2011–2017)	USDOL-funded project, implemented by the ILO in approximately 40 countries, to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016; established by the Hague Global Child Labor Conference in 2010. Aims to improve the evidence base on child labor through data collection and research in Swaziland.(41) During the year, IPEC-SIMPOC reviewed the data collected, in collaboration with the Swaziland national statistical office in preparing a report on the findings.(42) Additional information is available on the USDOL Web site .
Decent Work Country Program (2010–2017)	ILO program to raise awareness of and provide training programs on international labor standards, with the aim of developing national laws related to the ratified ILO conventions.(42, 43)
Free Primary Education Program†	Government program that provides free primary education to children up to grade seven.(3)

† Program is funded by the Government of Swaziland.

Government resources allocated to education, the fight against HIV/AIDS, and other social protection programs that may affect the worst forms of child labor are still limited. The Government, in collaboration with NGOs, provided trafficking victims with basic necessities, such as food, clothing, shelter, toiletries, counseling, and medical care.(14, 17) Although Swaziland has programs that target child labor, research found no evidence that it has carried out programs specifically designed to assist children working in livestock herding and domestic work.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Swaziland (Table 11).

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Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish a compulsory education age that is the same as the minimum age for work.	2009 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Ensure that the minimum age provisions in the law apply to children working in all industries, including in agriculture and domestic work.	2013 – 2016
	Ensure that the hazardous occupations and activities prohibited for children are comprehensive and include agriculture and domestic work.	2012 – 2016
	Enact the Sexual Offenses and Domestic Violence Bill to further protect children from commercial sexual exploitation.	2009 – 2016
Enforcement	Ensure that local chiefs are not illegally imposing Act No. 6 of the 1998 Administrative Order to force children to perform agricultural work.	2010 – 2016
	Authorize the labor inspectorate to assess penalties.	2016
	Increase the number of labor inspectors to meet the ILO recommendation.	2016
	Provide adequate resources, including transportation, to conduct labor inspections.	2013 – 2016
	Develop a system to record child labor complaints.	2009 – 2016
Coordination	Make civil and criminal enforcement information publicly available on the number of inspections, violations, investigations, prosecutions, convictions, and penalties issued.	2013 – 2016
Coordination	Establish coordinating mechanisms that specifically address child labor issues such as children working in agriculture and domestic work.	2015 - 2016
Government Policies	Integrate child labor elimination and prevention strategies into relevant development and education policies.	2010 – 2016
	Adopt a policy, such as APEC, that addresses the worst forms of child labor.	2012 – 2016
Social Programs	Collect data on child labor, including its worst forms.	2009 – 2016
	Ensure that children are guaranteed access to free education, including by addressing top-up school fees.	2013 – 2016
	Develop programs to mitigate the impact that HIV/AIDS may have on access to education and a child's vulnerability to the worst forms of child labor.	2010 – 2016
	Develop social protection programs for the withdrawal from or prevention of children working in domestic work and livestock herding.	2014 – 2016

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Tanzania

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY THAT DELAYED ADVANCEMENT

In 2016, the United Republic of Tanzania made a minimal advancement to eliminate the worst forms of child labor. While the Government, in coordination with the ILO, published a National Child Labor Survey and established a National Plan of Action to End Violence Against Women and Children, Tanzania is receiving this assessment because it continued to implement a policy that delayed advancement in eliminating the worst forms of child labor. Since 1984, the Government has regulated access to secondary education through the Primary School Leaving Exam (PSLE). Students who do not pass the exam do not have an opportunity to re-take the exam. As a result, students must drop out and do not have the opportunity to continue their education. As students in Tanzania and Zanzibar complete primary education at the average age of 14, children in Zanzibar who do not pass the exam can find themselves both out of formal education and still below the minimum age for work, which is 15 in Zanzibar, leaving such children at increased risk of child labor. While the Government has expressed its intention to phase out the exam by 2021, it has yet to initiate efforts or make preparations to do so. Children also engage in the worst forms of child labor, including in mining, quarrying, and domestic work. Other gaps remain in the laws, including the regulation of children's engagement in illicit activities or domestic work, although the Government has coordination mechanisms to monitor child labor and implement child protection activities.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children engage in the worst forms of child labor, including in mining, quarrying, and domestic work.(1-6) As part of the USDOL-funded project, Global Research on Child Labor Measurement and Policy Development, Tanzania published a National Child Labor Survey, noting that 94.1 percent of working children are engaged in agriculture.(6) Table 1 provides key indicators on children's work and education in Mainland Tanzania.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	29.3 (3,573,467)
Attending School (%)	5 to 14	74.3
Combining Work and School (%)	7 to 14	24.6
Primary Completion Rate (%)		73.7

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(7)

Source for all other data: Tanzania Mainland National Child Labour Survey.(6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Ploughing, weeding, harvesting, and processing crops in the cultivation of coffee, sisal, tea, tobacco, and cloves (1, 3, 4, 8-10)
	Seaweed farming (1, 11, 12)
	Production of sugarcane [†] (4)
	Livestock herding, including tending cattle (3, 5, 13)
	Fishing, including for Nile perch (5, 6, 8, 12, 14)

Figure 1. Working Children by Sector, Ages 5-14

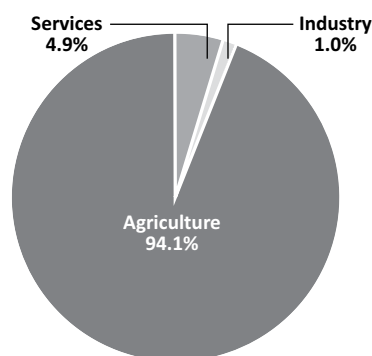


Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Industry	Quarrying [†] stone and breaking rocks to produce gravel (1, 3-6, 11, 14, 15)
	Mining, [†] including gold and tanzanite, and using mercury (3-6, 8, 12, 16-20)
	Manufacturing, [†] activities unknown (4, 8, 12, 21)
	Construction, [†] including digging, drilling, carrying bricks, [†] bricklaying, and assisting masons (3, 4, 12, 22)
Services	Domestic work, [†] including child care, [†] cooking, and washing [†] (3, 6, 23, 24)
	Garbage collecting [†] (8)
	Street work, including vending, [†] shoe shining, petty business, and scavenging [†] (3, 8, 25)
	Work as barmaids [†] (26)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking or work in the tourism industry (3, 5, 8, 12, 27)
	Forced begging (5, 25)
	Forced labor in domestic work, agriculture, mining, fishing, commercial trading, quarrying, shining shoes, pushing carts, and working in factories and bars, each sometimes as a result of human trafficking (5, 27-30)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.







Tanzania is a source, transit, and destination country for child trafficking for forced labor and commercial sexual exploitation. Child trafficking is often facilitated by victims’ family members, friends, or intermediaries promising assistance or employment.(5, 28, 30, 31) Impoverished rural children and those orphaned by HIV/AIDS are particularly vulnerable.(31, 32) Girls are often trafficked for domestic servitude or commercial sexual exploitation, including along the Kenya border and in tourist areas.(5, 28, 29) Children from Burundi and Kenya are trafficked to Tanzania for mining, domestic work, and agricultural labor; however, most children are trafficked internally.(5, 33)

Despite a recent policy shift to institute tuition-free primary education, which has increased enrollment rates by 36.7 percent compared to last year, families must still pay for books, uniforms, and school lunches. In an effort to mitigate overcrowding issues, the Government launched a nationwide effort to furnish sufficient desks for newly enrolled students.(34-37)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Tanzania has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Tanzania’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Related Entity	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Mainland	No	14	Article 5 of the Employment and Labor Relations Act; Article 77 of the Law of the Child Act (38, 39)
	Zanzibar	No	15	Article 6 of the Zanzibar Employment Act; Articles 2 and 98 of the Zanzibar Children’s Act (40, 41)
Minimum Age for Hazardous Work	Mainland	Yes	18	Article 5 of the Employment and Labor Relations Act; Article 82 of the Law of the Child Act (38, 39)
	Zanzibar	Yes	18	Articles 8 and 9 of the Zanzibar Employment Act; Article 100 of the Zanzibar Children’s Act (40, 41)
Identification of Hazardous Occupations or Activities Prohibited for Children	Mainland	Yes		Article 5 of the Employment and Labor Relations Act; Article 82 of the Law of the Child Act; List of Hazardous Child Labor (4, 38, 39)
	Zanzibar	Yes		Articles 8 and 9 of the Zanzibar Employment Act; Article 100 of the Zanzibar Children’s Act (40, 41)
Prohibition of Forced Labor	Mainland	Yes		Article 25 of the Constitution; Article 80 of the Law of the Child Act; Article 6 of the Employment and Labor Relations Act; Article 4 of The Anti-Trafficking in Persons Act (38, 39, 42, 43)
	Zanzibar	Yes		Article 7 of the Zanzibar Employment Act; Article 102 of the Zanzibar Children’s Act (40, 41)
Prohibition of Child Trafficking	Mainland	Yes		Article 4 of the Anti-Trafficking in Persons Act (43)
	Zanzibar	Yes		Articles 6 and 7 of the Zanzibar Employment Act; Article 106 of the Zanzibar Children’s Act (40, 41)
Prohibition of Commercial Sexual Exploitation of Children	Mainland	Yes		Article 138.2.b of the Sexual Offences Special Provisions Act; Article 4 of the Anti-Trafficking in Persons Act (43, 44)
	Zanzibar	Yes		Article 155 of the Penal Code of Zanzibar; Article 110 of the Zanzibar Children’s Act (40, 45)
Prohibition of Using Children in Illicit Activities	Mainland	No		
	Zanzibar	Yes		Article 7.2.c of the Zanzibar Employment Act (41)
Minimum Age for Military Recruitment				
State Compulsory		N/A*		
State Voluntary		Yes	18	Article 29 of the National Defense Act (46)
Non-state Compulsory		No		
Compulsory Education Age		Yes	14	Article 35 of the National Education Act (34)
Free Public Education		No		

* No conscription (46)

Mainland Tanzania and Zanzibar have separate laws and regulations governing child labor because child labor laws are not union matters according to Tanzania’s Constitution.(1, 42) For example, Mainland Tanzania’s law does not explicitly prohibit child domestic work. Although the Zanzibar Children’s Act sets the minimum age for work at 15, it does not specify whether its protections cover children engaged in domestic work.(38, 40, 41) Likewise, Mainland Tanzania does not clearly provide penalties for using children for illicit activities, including in the production and trafficking of drugs. Zanzibar prohibits the use of children for illicit activities, including the production and trafficking of drugs.(40, 41) In addition, the types of hazardous work prohibited for children do not cover fishing and agriculture tasks in the production of tobacco, cloves, coffee, sisal, and tea.(4, 38-41)

Tanzania does not have a law requiring free public education, but it does have an education policy that provides for free education. A policy change in 2016 translated into lower costs for primary and secondary education.(33, 47-49) The Government regulates access to secondary education through the Primary School Leaving Exam (PSLE); students who do not pass the exam do not have an opportunity to re-take the exam, and must drop out of school. As students complete

primary education at the average age of 14, children in Zanzibar who do not pass the exam can find themselves both out of formal education and still below the minimum age for work, which is 15 in Zanzibar, leaving such children at increased risk of child labor; nevertheless, exact numbers for children affected in Zanzibar are unavailable.(50, 51) Human rights groups have reported that since 2012, at least 1.5 million children nationwide have been unable to continue their education, and although the Government has expressed its intention to phase out the exam by 2021, it has yet to initiate efforts or make preparations to do so.(50, 51)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Key Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Minister of State in the Prime Minister's Office for Policy, Parliamentary Affairs, Labor, Employment, Youth, and the Disabled (Mainland)	Enforce child labor laws.(1) Assigns area labor officers to each region to respond to reports of child labor violations, issue noncompliance orders, and report incidents to police and the Ministry of Health and Social Welfare.(1) Through its Labor Administration and Inspection Section, provide legal guidance upon request, disseminate information to employers and employees on their rights and obligations, and help area offices conduct labor inspections.(33)
Ministry of Health, Community Development, Gender, Elders, and Children (Mainland)	Enforce child protection laws and regulations, enforce health and social welfare policies, employ officers to monitor child labor at the district and village levels, and report findings to the President's Office Regional Administration and Local Government (PMORALG).(2, 16) Promote community development, gender equality, and children's rights by formulating policies, strategies, and guidelines, in collaboration with stakeholders.(33)
Ministry of Empowerment, Adults, Youth, Women and Children (Zanzibar)	Ensure compliance with child protection and child labor laws, including inspections, through its Child Protection Unit.(33) Following a merger with the Ministry of Labor, Economic Empowerment and Cooperatives, investigate child labor cases reported by the police and refer cases to social welfare officers.(50)
Ministry of Health (Zanzibar)	Enforce anti-trafficking laws, including cases of child trafficking.(33)
Tanzania Police Force	Investigate cases of child labor and other forms of child endangerment reported to police stations; in some cases, refer the cases to labor officers or seek assistance of social welfare officers and the Office of the Director of Public Prosecutions for legal actions. Includes a Human Trafficking desk and Gender and Children's desks to handle cases pertaining to children.(28, 33, 52, 53)
Ministry of Home Affairs (Mainland)	Enforce anti-trafficking laws, including child trafficking, and laws prohibiting commercial sexual exploitation of children and the use of children in illicit activities. Chair the Anti-Trafficking Committee.(33)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Tanzania took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	Related Entity	2015	2016
Labor Inspectorate Funding	Mainland	Unknown	Unknown (33)
	Zanzibar	Unknown	Unknown (33)
Number of Labor Inspectors	Mainland	Unknown	120 (33)
	Zanzibar	Unknown	5 (33)
Inspectorate Authorized to Assess Penalties	Mainland	No (8)	Unknown (33)
	Zanzibar	Unknown (8)	Unknown (33)
Training for Labor Inspectors			
Initial Training for New Employees	Mainland and Zanzibar	Unknown	Unknown (33)
Training on New Laws Related to Child Labor	Mainland	Unknown (54)	Yes (33)
	Zanzibar	Unknown	Unknown (33)

Tanzania

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY THAT DELAYED ADVANCEMENT

Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	Related Entity	2015	2016
Refresher Courses Provided	Mainland	No (8)	Unknown (33)
	Zanzibar	Unknown (8)	Unknown (33)
Number of Labor Inspections	Mainland	1,754 [‡] (8)	1,200 (33)
	Zanzibar	Unknown (8)	228 (33)
Number Conducted at Worksite	Mainland and Zanzibar	Unknown (8)	1,228 (33)
Number Conducted by Desk Reviews	Mainland and Zanzibar	Unknown (8)	200 (33)
Number of Child Labor Violations Found	Mainland	Unknown	Unknown (33)
	Zanzibar	Unknown	Unknown (33)
Number of Child Labor Violations for Which Penalties Were Imposed	Mainland and Zanzibar	Unknown	10 (33)
Number of Penalties Imposed That Were Collected	Mainland and Zanzibar	Unknown	0 (33)
Routine Inspections Conducted	Mainland and Zanzibar	Unknown	Yes (33)
Routine Inspections Targeted	Mainland and Zanzibar	Unknown	Yes (33)
Unannounced Inspections Permitted	Mainland	Yes (8)	Yes (33)
	Zanzibar	Unknown	Unknown (33)
Unannounced Inspections Conducted	Mainland and Zanzibar	Unknown (8)	Yes (33)
Complaint Mechanism Exists	Mainland and Zanzibar	Yes (8)	Yes (33)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Mainland and Zanzibar	Unknown	Yes (33)

[‡] Data are from January 1, 2015 to June 30, 2015.

Despite regulations dictating that one or more labor officers be assigned to each region, research was unable to determine whether each region had a dedicated labor officer during the reporting period.⁽⁵⁵⁾ The number of labor inspectors is insufficient for the size of Tanzania's workforce, which includes over 26 million workers. According to the ILO's recommendation of 1 inspector for every 40,000 workers in less developed economies, Tanzania should employ roughly 674 inspectors.^(56, 57)

Through the WEKEZA project, 61 mainland labor officers received training during the reporting period.⁽³³⁾ The Government provided incomplete data on inspections; however, in previous years, inspections on the mainland were carried out in sectors such as agriculture, mining, domestic work, hotels, trade, industry and commerce, construction, and fishing.⁽³⁾ Figures on labor inspectorate funding are unavailable; however, NGOs commented that child labor inspections could benefit from additional funding and inspections.⁽³³⁾ Complaint and referral mechanisms have been reported to lack investigative and enforcement capacity.^(8, 12, 33)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Tanzania took actions to combat child labor, including its worst forms (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	Related Entity	2015	2016
Training for Investigators			
Initial Training for New Employees	Mainland and Zanzibar	Yes (8)	Unknown (33)
Training on New Laws Related to the Worst Forms of Child Labor	Mainland	Yes (8)	Yes (33)
	Zanzibar	Unknown	Unknown (33)
Refresher Courses Provided	Mainland and Zanzibar	Unknown (8)	Unknown (33)
Number of Investigations	Mainland	Unknown (8)	Unknown (33)
	Zanzibar	Unknown (8)	Unknown (33)

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor (cont)

Overview of Criminal Law Enforcement	Related Entity	2015	2016
Number of Violations Found	Mainland	Unknown	10 (33)
	Zanzibar	Unknown	Unknown (33)
Number of Prosecutions Initiated	Mainland	Unknown (8)	Unknown (33)
	Zanzibar	Unknown (8)	Unknown (33)
Number of Convictions	Mainland	Unknown (8)	Unknown (33)
	Zanzibar	Unknown (8)	Unknown (33)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Mainland and Zanzibar	Yes (31)	Yes (33)

Mainland Tanzania's Office of the Director of Public Prosecutions reported 10 violations that resulted in penalties imposed; the 10 violators received warnings.(33) The Government has made efforts to sanction recruiting agencies outside of the country, prosecute offenders, and prevent known perpetrators from entering the country, but the number of efforts related to child-specific violations remains unknown.(58, 59)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Anti-Trafficking Committee and Secretariat	Promote, define, and coordinate policy to prevent human trafficking through engagement with local NGOs.(28, 31, 43, 50) Chaired by the Ministry of Home Affairs, includes representatives from the Prime Minister's Office for Policy, Parliamentary Affairs, Labor, Employment, Youth, and the Disabled.(55) In 2016, received a budget of roughly \$45,000 for the third consecutive year.(60, 61)
National Education Task Force on Child Labor (NETFCL)	Review education sector policies and existing laws, regulations, and strategies related to children's issues, including the National Action Plan. Review existing curriculum and programs, identify gaps, and suggest strategies to resolve barriers to education access related to child labor.(8, 62)
Zanzibar Child Labor Steering Committee	Coordinate various implementing agencies responsible for child labor and provide policy guidance on the Zanzibar National Action Plan to Combat Child Labor.(33) Chaired by Zanzibar's Ministry of Empowerment, Adults, Youth, Women and Children.(55)
National Protection Steering Committee†	Provide overall policy guidance and coordination at both the national and local level of the National Action Plan to End Violence Against Women and Children (NPA-VAWC) through the merger of the National Inter-Sectoral Coordination Committee and the Multi-Sector Task Force on Violence Against Children.(50, 53) Operate the NPA-VAWC National Protection Technical Committee (NPTC) and Thematic Working Groups (TWGs) at the national level; merge pre-existing committees at the regional and district levels, focusing on violence prevention and response, including the Child Labor Committees, the Gender Based Violence (GBV) Committees, District Child Protection Teams (DCPTs) and Most Vulnerable Children Committees (MVCCs).(33, 53)

† Policy was approved during the reporting period.

In 2016, the Government established a unified coordinating structure to address child labor issues through the implementation of the National Action Plan to End Violence Against Women and Children (NPA-VAWC) that is both multi-sectoral and cross-jurisdictional.(33, 53) However, while funding requirements are provided in the plan, it is not yet clear whether the funding has been allocated in the national budget for NPA-VAWC.(8, 33)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[†]

Policy	Description
National Action Plan to End Violence Against Women and Children (2017–2022) [†]	Prevent and respond to all forms of violence against women and children through comprehensive multi-sectoral collaboration at all levels; combining eight national action plans together.(53) Details responsible agencies and addresses multiple challenges including education and poverty reduction.(33)

[†] Policy was approved during the reporting period.

[‡] The Government had other policies which may have addressed child labor issues or had an impact on child labor.(2, 33, 50, 63)

The National Action Plan to End Violence Against Women and Children replaced the National Action Plan for the Elimination of Child Labor and the National Costed Plan of Action for Most Vulnerable Children II.(33) In 2016, the Anti-Trafficking Secretariat began preliminary discussions to draft a new National Action Plan on Anti-Trafficking set to begin in 2018.(55, 61) The Government has not included child labor elimination and prevention strategies into the Primary Education Development Plan III.(47)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
USDOL-Funded Projects to Address Child Labor	<u>WEKEZA Project</u> (2012–2017), a \$10 million project implemented by the International Rescue Committee; <u>Global Research on Child Labor Measurement and Policy Development</u> (2013–2017), implemented in 10 countries by the ILO; and <u>Expanding the Evidence Base and Reinforcing Policy Research for Scaling Up and Accelerating Action Against Child Labor</u> (2010–2017), implemented in seven countries by the ILO.(64-66) For additional information about USDOL’s work, please visit our web site .
Supporting the Establishment of Assistance and Referral Mechanisms for Child Victims of Trafficking in Tanzania (2013–2016)	\$1.4 million EU/UNDAF-funded project, implemented by the IOM to enhance coordination mechanisms among key actors to protect, assist, and refer child victims of trafficking in Tanzania, and to reduce the risks of re-trafficking for these children.(67) In 2016, held a two-day dissemination workshop to launch standard operating procedures to protect, assist, and refer trafficked children, including safe family reunification guidelines for child victims of trafficking.(68)
Promoting Sustainable Practices to Eradicate Child Labor in Tobacco (PROSPER) Platform for Unity and Sustainability (PROSPER+) (2016–2017)	\$837,592 continuation project to reduce child labor in tobacco-growing areas using four approaches: (a) develop advocacy to foster social and political change; (b) support coordination to convert policy into action; (c) support increase of decent work for youth and combat hazardous work in tobacco; and (d) put in place activities in tobacco-growing regions to expand access to quality education and economic opportunities. Implementing partners are Winrock International, Tanzania Association of Women Leaders in Agriculture and the Environment, and the Tabora Development Foundation Trust.(33, 69) In 2016, conducted an evaluation of the previous PROSPER project.(33)
Terre des Hommes-Funded Projects	Funds three projects that are extensions of previous projects.(33) (a) Ending the Worst Forms of Child Labor in Artisanal Gold Mines in Kahama (2016–2017), a \$146,000 project implemented by Rafiki Social Development Organization to remove, counsel, provide employment training, form child rights clubs, and provide training for government officials at multiple levels.(33, 54) (b) Protecting Children from CSEC in the Mara Region (2016–2017), a \$84,000 project implemented by Watoto Wapinge Ukimwi with the District Child Protection Team and the Police Gender and Children’s Desk in Musoma. In 2016, identified 50 girl victims, enrolled them in schools, and provided shelter for 13 girls.(33) (c) End Exploitation and Trafficking of Child Domestic Workers in Mwanza (2016–2017), a \$270,000 project implemented by KIWOHEDE that removes and trains child domestic workers, establishes child domestic worker committees, empowers children, and refers violations to local authorities.(33, 54)
Eradicating the Worst Forms of Labor in the Eight Mining Wards of the Geita District, Phase 2 (2015–2018)	\$1.1 million EU-funded, 3-year project implemented by Plan International Tanzania that enhances social protection mechanisms for communities to prevent child labor and improve awareness of child labor among children, parents, and mining employers near mining areas in Chato, Geita, and Nywangwale.(18, 70) In 2016, the project promoted safe spaces by forming 28 Junior Councils, comprising 1,040 children, to enhance children’s rights and increase protection against child labor and violence.(50)
Tanzania Social Action Fund Conditional Cash Transfer Program (TASAF CCT), Phase III (2012–2018) [†]	Government-funded conditional cash transfer program that provides financial assistance to vulnerable populations, including children.(71, 72) USDOL-funded study, implemented by the WEKEZA project, reported increased school enrollment and reduced forced child migration and child labor as a result of TASAF-CCT.(2, 73) In 2016, extended TASAF-CCT into 2018 and completed nine rounds of payments to beneficiaries.(50)

Table 10. Key Social Programs to Address Child Labor[†] (cont)

Program	Description
Decent Work Country Program (DWCP)	ILO-supported program that identifies four objectives of decent work: (a) create jobs; (b) guarantee rights at work; (c) extend social protection; and (d) promote social dialog. Outcomes include improved operational environment for the elimination of child labor and its worst forms.(33, 74) In 2016, DWCP II received a review, and a preliminary workshop on DWCP II design indicated that partners intend to maintain activities in all four areas of the DWCP I agenda.(33)
Achieving Reduction of Child Labor in Support of Education (ARISE)	Joint initiative of the ILO, Japan Tobacco International, and Winrock International to end child labor in tobacco through education. Operates in three districts in Tabora Region: Kaliua, Urambo, and Uyui.(75, 76) In 2016, assessed gaps, challenges, and strategies.(10, 77)

[†] Program is funded by the Government of Tanzania.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(33)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Tanzania (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that minimum age protections apply to children engaged in domestic work.	2013 – 2016
	Criminally prohibit the use of children in illicit activities, particularly in the production and trafficking of drugs.	2012 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Ensure that the hazardous occupations and activities prohibited for children are comprehensive.	2016
	Establish by law a free basic public education.	2015 – 2016
Enforcement	Increase the number of labor inspectors to meet ILO recommendation and ensure that a dedicated labor officer is appointed to each region, and publish this information.	2013 – 2016
	Publish information for mainland Tanzania and Zanzibar on child labor inspection mechanisms and elimination activities, such as labor inspectorate funding, authorization to assess penalties, trainings provided, and child labor violations found.	2011 – 2016
	Provide sufficient resources to conduct child labor inspections.	2013 – 2016
	Ensure that reporting and referral mechanisms are effective.	2014 – 2016
	Publish information on enforcement efforts to combat the worst forms of child labor, including whether trainings were provided, investigations conducted, violations found, prosecutions initiated, and criminal convictions executed on mainland Tanzania and Zanzibar.	2012 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into existing Government policies.	2011 – 2016
	Take steps to eliminate the Primary School Leaving Exam as a barrier to education.	2016
Social Programs	Address barriers to education, including prohibitive costs, such as books, school meals, or uniforms.	2010 – 2016

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In 2016, Thailand made a significant advancement in efforts to eliminate the worst forms of child labor. The Government adopted an amendment to the penal code that increases penalties for individuals who use children to commit crimes. Thailand also established a new taskforce to investigate crimes involving the commercial sexual exploitation of children perpetrated using the Internet. In collaboration with multiple stakeholders, the Government began implementing a new project to prevent and reduce child labor and forced labor in the fishing and seafood industry. In addition, the Government is working with the International Labor Organization to collect data and produce nationally representative child labor estimates. However, children in Thailand engage in the worst forms of child labor, including in fishing and shrimp and seafood processing, and in commercial sexual exploitation. An insufficient number of inspectors and inadequate training on child labor issues hampered the labor inspectorate's capacity to enforce child labor laws, particularly in the informal sector and home-based workplaces. Some children in Thailand face challenges in accessing education, which increases their vulnerability to the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Thailand engage in the worst forms of child labor, including in fishing and shrimp and seafood processing, and in commercial sexual exploitation.(1-4) Table 1 provides key indicators on children's work and education in Thailand.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	13.0 (1,302,267)
Attending School (%)	5 to 14	96.3
Combining Work and School (%)	7 to 14	14.4
Primary Completion Rate (%)		93.3

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 3, 2005–2006.(6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Processing shrimp and seafood† (2, 7-10)
	Fishing, including work performed on sea vessels† (11, 12)
	Planting and harvesting sugarcane (13, 14)
	Production of rubber, roses, oranges, pineapples, and various vegetables (15, 16)
Industry	Manufacturing, including garment production (10, 17, 18)
	Work in poultry factories (19)
	Construction, including transporting cement and bricks (7, 10, 20)
Services	Domestic work (17, 21)
	Muay Thai paid fighters (17, 22-25)
	Work in restaurants, motorcycle repair shops, and gas stations (17, 26)
	Street work, including begging and vending (12, 27, 28)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (1, 3, 14, 29)
	Forced labor in vending, begging, and domestic work, each sometimes as a result of human trafficking (4, 21, 27)
	Forced labor in the production of garments, in agriculture, and in shrimp and seafood processing (2, 3, 9, 30)
	Fishing as a result of human trafficking (31, 32)
	Use in the production and trafficking of drugs (3, 12)
	Forced recruitment of children by non-state armed groups for use in armed conflict (14)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Children from Thailand, Burma, Laos, Cambodia, and ethnic minority communities are exploited in trafficking for commercial sexual exploitation in Thai massage parlors, bars, karaoke lounges, hotels, and private residences. The Internet and social media are increasingly used to lure children through less visible channels.(14, 33) In 2016, there continued to be limited reports that children were recruited by insurgent groups in southern Thailand to commit arson or act as scouts or informants.(14)

Although the Government has implemented a policy to provide education for all children in Thailand since 2005, some children, particularly migrants and ethnic minorities, struggle to access basic education due to a lack of awareness of migrant children’s right to public education, language barriers, and insufficient transportation to schools.(3, 12, 34)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Thailand has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Thailand’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Chapter 4, Section 44 of the Labor Protection Act (35)
Minimum Age for Hazardous Work	Yes	18	Chapter 4, Sections 49 and 50 of the Labor Protection Act (35)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Chapter 4, Sections 49 and 50 of the Labor Protection Act; Clause 4 of the Ministerial Regulation concerning Labor Protection in Sea Fishery Work (35, 36)
Prohibition of Forced Labor	Yes		Sections 312, and 312 bis of the Penal Code; Sections 4 and 6 of the Anti-Trafficking in Persons Act (37, 38)

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Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Child Trafficking	Yes		Sections 282–283 of the Penal Code; Section 6 of the Anti-Trafficking in Persons Act (37, 38)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 8 of the Prevention and Suppression of Prostitution Act; Section 6 of the Anti-Trafficking in Persons Act; Sections 282 and 285–287 of the Penal Code; Article 26 of the Child Protection Act; Amendment to the Penal Code Act No. 24 (37-41)
Prohibition of Using Children in Illicit Activities	Yes		Article 26 of the Child Protection Act; Section 93 of the Narcotics Act; Section 84 of the Penal Code (40, 42, 43)
Minimum Age for Military Recruitment			
State Compulsory	Yes	21	Section 25 of the Military Service Act (44)
State Voluntary	Yes	18	Section 25 of the Military Service Act (44)
Non-state Compulsory	No		
Compulsory Education Age	Yes	16	Section 17 of the National Education Act (45)
Free Public Education	Yes		Section 10 of the National Education Act (45)

In 2016, the Ministry of Labor (MOL) adopted a ministerial regulation prohibiting the use of children under age 18 to work in seafood processing factories and establishments.(46) The Government also adopted the Human Trafficking Criminal Procedure Act, which establishes an inquisitorial system for human trafficking cases, allowing courts to take a more proactive role in investigating cases and ordering restitution for victims, including child victims.(12, 47) The Beggar Control Act, adopted in July 2016, establishes penalties to punish individuals who recruit and use others to beg and requires the Government to provide rehabilitation services for beggars.(12, 48) In addition, a new amendment to the Penal Code significantly increases the criminal penalties for procuring, offering, or using a child under age 18 to commit criminal offences.(12)

During the reporting period, the Cabinet approved a draft ministerial regulation specifying the types of work considered harmful for home-based workers under 15 years old.(14, 49) The Government revised the Anti-Trafficking in Persons Act to impose stricter penalties on individuals who recruit, buy, sell, detain, or harbor children under age 15 to work or provide services that seriously harm the body and mind of a child.(12) The Government also revised the Labor Protection Act to increase penalties for using child labor.(3) At the close of the reporting period, both of these amendments were under review by the Office of the Council of State.(50) Furthermore, the National Council for Peace and Order issued Order No. 28/2559, which extends the number of years (12 to 15 years) that the Government will provide free public education in order to provide greater flexibility for children who may require more time to complete their education.(3)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor Protection and Welfare (DLPW) of the Ministry of Labor (MOL)	Enforce child labor laws through workplace inspections.(26) Operate Hotline 1546 and staff 86 labor protection and welfare offices in every province to answer questions regarding working conditions and receive complaints from the public about child labor.(10, 51)
Provincial Coordination Center for Sea Fishery Workers (Operated jointly by DLPW, marine police, provincial administration, and fishers' association)	Compile registration records and work permit information for migrants working on fishing vessels and work with vessel owners to ensure that undocumented migrant workers are registered. Monitor and coordinate inspections of working conditions on fishing vessels.(10) Provide trainings on labor protection, receive human trafficking complaints, and coordinate with other agencies to provide assistance, remedy, and rehabilitation services for victims.(10)

Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Command Center for Combating Illegal Fishing	Coordinate government efforts to resolve cases of human trafficking and illegal fishing. Operate 32 Port In–Port Out Centers and 19 Forward Inspection Centers in every coastal province.(10) Carry out inspections in the fishing and seafood industry at port, at sea, and on land.(52) Agencies involved include the Royal Thai Navy, the ministries of Agriculture and Cooperatives, Transport, Interior, and Labor, and the Royal Thai Police.(52)
Anti-Trafficking in Persons Division of the Royal Thai Police	Enforce laws related to forced labor, human trafficking, child pornography, and commercial sexual exploitation of children. Operate Hotline 1191 to receive complaints on human trafficking and violence against children.(10)
Department of Special Investigations (DSI) in the Ministry of Justice	Investigate complicated human trafficking crimes, including those related to government officials' complicity and transnational or organized crime.(53, 54)
Anti-Human Trafficking Department under the Office of the Attorney General	Enforce criminal laws against human trafficking.(10) Investigate or co-investigate human trafficking offenses and monitor cases to improve the quality of prosecution of human trafficking cases.(55)
Anti-Trafficking in Persons Division under the Criminal Court of Justice	Enforce the Anti-Human Trafficking Act.(10) Prosecute human trafficking cases, focusing specifically on sex trafficking, forced labor, slavery, and the illegal trade of human organs.(55)

In 2016, the Government institutionalized the Thailand Internet Crimes Against Children Taskforce, a team comprising police officers and Department of Special investigation (DSI) agents, to investigate cases of online commercial sexual exploitation of children.(33)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Thailand took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$690,844 (10)	\$1,001,168 (3)
Number of Labor Inspectors	592 (10)	880 (3)
Inspectorate Authorized to Assess Penalties	Yes (10)	Yes (3)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (56)	Yes (3)
Training on New Laws Related to Child Labor	Yes (10)	Yes (14)
Refresher Courses Provided	Yes (10)	Yes (14)
Number of Labor Inspections	42,606 (10)	39,350 (3)
Number Conducted at Worksite	42,606 (10)	39,350 (3)
Number Conducted by Desk Reviews	N/A (10)	N/A (3)
Number of Child Labor Violations Found	67 (10, 57)	71 (50)
Number of Child Labor Violations for Which Penalties Were Imposed	11 (10)	71 (3)
Number of Penalties Imposed That Were Collected	11 (10)	Unknown (50)
Routine Inspections Conducted	Yes (10)	Yes (3)
Routine Inspections Targeted	Yes (10)	Yes (3)
Unannounced Inspections Permitted	Yes (10)	Yes (3)
Unannounced Inspections Conducted	Yes (10)	Yes (3)
Complaint Mechanism Exists	Yes (10)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (3)

Labor inspection duties are carried out by 592 Department of Labor Protection and Welfare (DLPW) civil servants, 101 contract employees employed by DLPW, and 187 officials from other agencies.(14, 50) The number of labor inspectors is insufficient for the size of Thailand's workforce, which includes over 38.45 million workers. According to the ILO recommendation of 1 inspector for every 15,000 workers in industrializing economies, Thailand should employ roughly

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2,563 labor inspectors.(58-60) During the reporting period, the DLPW provided training for labor inspectors on various topics, including on the enforcement of laws related to child labor, forced labor, and human trafficking. However, only 336 labor inspectors received training, and officials reported that the quality of instruction was inadequate.(3) Additional training is needed on effective child labor inspection techniques in the informal sector, where child labor in Thailand is reported to commonly occur.(12)

Under the Home Workers Protection Act, the DLPW has the authority to inspect home-based workplaces, but in practice, it is challenging for labor inspectors to safely access an individual's property to monitor the welfare of child domestic workers or other children in home-based employment.(53, 61) Despite efforts to increase the number of interpreters available to interview migrant workers, including children, during labor inspections, there continued to be a shortage of trained interpreters in areas with high concentrations of migrant workers.(12) There also continued to be concerns that penalties for child labor violations are infrequently applied in accordance with the parameters prescribed by law.(10)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Thailand took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (10)	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (10)	Yes (33)
Refresher Courses Provided	Yes (52)	Yes (12)
Number of Investigations	2,606 (10, 62)	3,040 [‡] (12)
Number of Violations Found	2,587 (10, 52)	3,252 [‡] (3, 12)
Number of Prosecutions Initiated	Unknown (10)	1, 484 [‡] (3)
Number of Convictions	Unknown (10)	Unknown (12)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	Yes (12)

[‡] Data are from October 1, 2015 to September 30, 2016.

In 2016, the Government employed approximately 400 Anti-Trafficking in Persons Division police officials, 40 DSI officials, 30 public prosecutors, and 29 administrative staff in the Office of the Attorney General to enforce laws against the worst forms of child labor. Around 3,328 government law enforcement officials, prosecutors, social workers, and interpreters participated in training on trafficking in persons, including child trafficking.(12) During the reporting period, the Government increased efforts to hold government officials suspected of complicity in child sex trafficking crimes accountable, including by investigating 10 police officers and seizing assets from 2 officials. However, there continued to be reports that some corrupt officials allegedly take bribes to protect brothels and karaoke bars employing children.(12, 14)

The Government collects data on the number of investigations, violations, and prosecutions related to the use of children in the production and trafficking of drugs and on the number of investigations conducted and violations found for child pornography; however, there are not comprehensive data disaggregated by age available for other worst forms of child labor.(12)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Committee to Eliminate the Worst Forms of Child Labor	Coordinate implementation of child labor policies, facilitate cooperation among relevant ministries, and report annually to the Thai Cabinet on child labor issues.(10) Chaired by MOL, with representation from other government agencies, employer and worker associations, and civil society groups.(63) Administer subcommittee responsible for monitoring the National Policy and Plan to Eliminate the Worst Forms of Child Labor.(3, 64) In 2016, convened three times.(50)
National Policy Committee on Anti-Trafficking in Persons and Illegal, Unreported, and Unregulated Fishing	Coordinate anti-trafficking in persons policies and activities. Oversee five subcommittees, including the Subcommittee on Child Labor, Forced Labor, and Migrant Workers. Chaired by MOL.(3, 65)
National Operation Center for the Prevention and Suppression of Human Trafficking	Coordinate anti-human trafficking activities, including those involving forced child labor, child trafficking, and commercial sexual exploitation. Operates under the Ministry of Social Development and Human Security.(3) Monitor 76 Provincial Operation Centers for the Prevention and Suppression of Human Trafficking.(3, 10, 53)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
National Policy and Plan to Eliminate the Worst Forms of Child Labor Phase II (2015–2020)	Seeks to eliminate the worst forms of child labor in Thailand in accordance with international labor standards. Focuses on (a) preventing the worst forms of child labor, (b) rescuing and protecting children from the worst forms of child labor, (c) developing and enforcing relevant laws, (d) enhancing interagency cooperation, and (e) developing management and monitoring systems.(64) In 2016, implemented various activities, such as providing training to local volunteers to monitor for child labor at the community level.(50)
The National Policy, Strategy, and Measures for the Prevention and Suppression of Trafficking in Persons (2011–2016)	Set forth priority strategies to address human trafficking, including prevention, prosecution, protection and assistance, policy development, and improved information management.(66)
National Child and Youth Development Plan (2012–2016)	Seeks to advance the wellbeing of children and youth, including promoting access to quality education and protecting children from exploitation. Focuses on vulnerable children, such as children of migrant workers, ethnic minorities, and child laborers.(3)

[‡] The Government has other policies that may have addressed child labor issues or had an impact on child labor.(12, 67, 68)

In 2016, Thailand ratified the ASEAN Convention on Trafficking in Persons and signed the ASEAN Plan of Action against Trafficking in Persons.(33)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
National and Provincial Operation Centers for Providing Assistance to Women and Child Laborers [‡]	DLPW program that provides assistance to women and child laborers, and collects and disseminates information on the worst forms of child labor. Reports to the National Committee to Eliminate the Worst Forms of Child Labor.(69)
From Protocol to Practice: A Bridge to Global Action on Forced Labor (2015–2019)	USDOL-funded global project implemented by ILO to support global and national efforts aimed at combating forced labor of adults and children under the 2014 ILO Protocol and supporting Recommendation to C.29 on Forced Labor.(70) In Thailand, supports the design and implementation of the 2017 National Working Children Survey in Thailand.(3, 71) Additional information is available on the USDOL Web site .(71)

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Table 10. Key Social Programs to Address Child Labor[†] (cont)

Program	Description
Government Shelters for Trafficking Victims [†]	Ministry of Social Development and Human Security program that operates 76 temporary shelters to provide emergency assistance and protection to human trafficking victims, including children.(52) Operates nine long-term shelters that offer medical care, psychosocial services, education, and life skills education.(52, 57) In 2016, provided services to 232 child victims of commercial sexual exploitation, 38 child victims of forced labor, and 12 child victims of forced begging.(12)
Asia-Australia Program to Combat Trafficking in Persons (2013–2018)	5-year, \$45 million, Australian Aid-funded, ASEAN regional- and national-level project to build capacity and strengthen access to criminal justice for trafficking victims.(26) In Thailand, focuses on creating specialized investigative units; increasing interagency cooperation among public prosecutors, police, and DSI; and developing training curriculum for law enforcement, prosecutors, and judges.(26)
Combatting Unacceptable Forms of Work in the Thai Fishing and Seafood Industry* (2016–2019)	3.5 year, EU and ILO-funded project implemented by ILO, the Government of Thailand, and other stakeholders to prevent and reduce forced labor and child labor in the Thai fishing and seafood processing sectors, including by withdrawing children engaged in the worst forms of child labor and enhancing their access to support services.(72, 73)
Migrant Learning Centers [†]	NGO-operated centers that provide basic education to children in migrant communities. Ministerial regulations under the National Education Act specify that these centers are permitted to operate and are eligible to receive government subsidies and accreditation.(10) However, many Migrant Learning Centers rely on donor funding, and although in some cases migrant students can take an exam provided by the Thai government or by the origin country government to acquire certification of education, this process can be challenging.(12)
Child Support Grant (2015–2016) [†]	Government program that provides low-income parents or caretakers with a monthly stipend of approximately \$17 (600 baht) per newborn baby. As of September 30, 2016, includes 154,855 households.(3)

* Program was launched during the reporting period.

[†] Program is funded by the Government of Thailand.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(64, 74)

In 2016, the Government publicly released the results of Thailand’s National Working Children Survey and conducted a survey on working children in the sugarcane sector.(3) However, there continued to be a need for nationally representative data on child labor that is generated using research methodology that is consistent with international resolutions and guidelines on child labor statistics and data collection.(12) During the reporting period, the Government began designing a new national working children survey that uses internationally recognized methodology.(12)

Although the Government is implementing programs that provide services to child victims of human trafficking and forced labor, especially in the fisheries sector, research did not find evidence that the Government has carried out programs specifically designed to address child labor in other relevant sectors, including agriculture, garment manufacturing, domestic work, and construction. Further, although the Government has some social programs targeted to assist children at high risk of exploitation in the worst forms of child labor, such as migrant and ethnic minority children, these programs are not sufficient to fully address the extent of the problem. Although public awareness of child labor issues in Thailand has increased in recent years, additional education is needed to help families distinguish between the types and conditions of work that are safe and acceptable for children under age 18, and those that are considered child labor or hazardous child labor.(12)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Thailand (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
Enforcement	Increase the number of labor inspectors responsible for enforcing laws related to child labor, especially in the informal sector.	2015 – 2016
	Ensure that all labor inspectors receive adequate training on child labor and forced labor law enforcement, particularly on effective inspection techniques in the informal sector.	2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Hire and train additional interpreters to assist labor inspectors in communicating with non-Thai speaking migrants and ethnic minorities, including children, during labor inspections.	2009 – 2016
	Remove administrative barriers that impede inspections of home-based businesses.	2013 – 2016
	Strengthen efforts to ensure that penalties applied for child labor violations adhere to the parameters prescribed by law.	2013 – 2016
	Collect and publish comprehensive data, disaggregated by age, on the number of criminal investigations, violations, prosecutions and convictions for all crimes related to the worst forms of child labor.	2015 – 2016
	Ensure that officials allegedly complicit in crimes related to the worst forms of child labor are prosecuted and convicted if found guilty.	2015 – 2016
Social Programs	Improve access to education, especially for ethnic minority and migrant children, including by raising awareness of migrant children's right to education, improving access to school transportation, and addressing language barriers for non-Thai speaking students.	2012 – 2016
	Conduct and publish a survey on working children in Thailand using research methodology in line with internationally recognized resolutions and guidelines on child labor statistics.	2009 – 2016
	Ensure that there are sufficient social programs to assist children at risk of or engaged in child labor, as well as their parents or guardians, in the relevant sectors of agriculture, garment manufacturing, domestic work, and construction.	2016
	Ensure that there are sufficient social programs targeted to assist children from vulnerable groups, such as migrants and ethnic minorities, who are at high risk of the worst forms of child labor.	2016
	Enhance public awareness on the distinction between safe and acceptable work for children and work that is considered child labor or hazardous child labor.	2016

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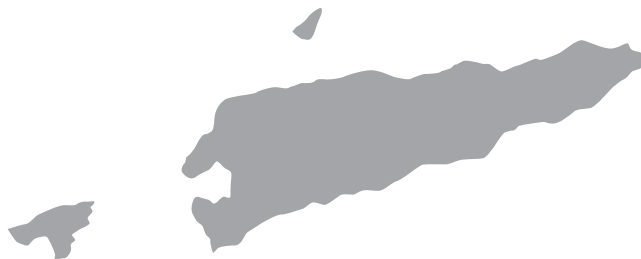
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Timor-Leste

MODERATE ADVANCEMENT

In 2016, Timor-Leste made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government passed the Law to Prevent and Fight Against Human Trafficking and the National Commission against Child Labor finalized a National Action Plan Against Child Labor. In addition, the Government reestablished the Inter-Agency Trafficking Working Group. However, children in Timor-Leste perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation. The Government has not approved a decree specifying the occupations and activities prohibited for children, which leaves children vulnerable to engagement in hazardous work. In addition, limited financial and human resources hinder inspectors and investigators from enforcing laws related to the worst forms of child labor, especially in more remote areas of the country.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Timor-Leste perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation.(1-3) Table 1 provides key indicators on children's work and education in Timor-Leste.

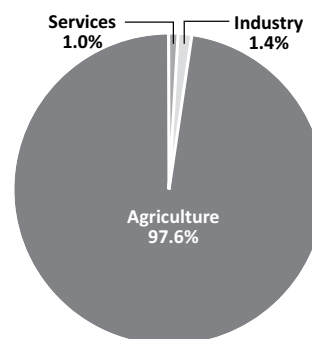
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	19.9 (26,268)
Attending School (%)	5 to 14	69.7
Combining Work and School (%)	10 to 14	12.6
Primary Completion Rate (%)		106.1

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Timor-Leste Survey of Living Standards, 2007.(5)

Figure 1. Working Children by Sector, Ages 10-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Cultivating and processing coffee (1-3)
	Growing vegetables and other crops (6)
	Fishing, including work on boats and repairing nets (1-3)
Industry	Construction, including brickmaking (1, 2, 7)
	Operating weaving and knitting machines (6)
Services	Domestic work (1, 2, 7)
	Street work, including vending, begging, and scavenging (1-3, 8, 9)
	Shop-keeping and selling goods in markets (6)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation and forced domestic and agricultural work, each sometimes as a result of human trafficking (1, 3, 10, 11)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.




In Timor-Leste, some children are trafficked from rural areas to the capital city, Dili, and subjected to commercial sexual exploitation, domestic work, or forced labor in the fishing industry.(7, 10, 12, 13) Children are also trafficked transnationally,

including to Indonesia, for labor exploitation.(13-15) Preliminary data from the child labor survey conducted in 2016 indicate that more than 26,000 children are engaged in “other service activities” such as domestic work; the survey also identified 588 children engaged in street work.(12, 16)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Timor-Leste has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Timor-Leste’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 68 of the Labour Code (17)
Minimum Age for Hazardous Work	No	17	Article 67 of the Labour Code (17)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	No		Articles 155, 162, 163, and 166 of the Penal Code; Articles 8 and 67 of the Labour Code (17, 18)
Prohibition of Child Trafficking	No		Article 81 of the Immigration and Asylum Act; Articles 162–164 and 166 of the Penal Code; Article 67 of the Labour Code (17-19)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 155 and 174–176 of the Penal Code; Article 67 of the Labour Code (17, 18)
Prohibition of Using Children in Illicit Activities	No		Article 155 of the Penal Code; Article 67 of the Labour Code (17, 18)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Article 14 of the Law on Military Service (20)
State Voluntary	Yes	18	Article 17 of the Law on Military Service (20)
Non-state Compulsory	Yes	18	Article 125 of the Penal Code (18)
Compulsory Education Age	Yes	16	Article 11 of the Education System Framework Law (21)
Free Public Education	Yes		Section 59 of the Constitution of the Democratic Republic of Timor-Leste; Article 11 of the Education System Framework Law (21, 22)

In October 2016, Parliament passed the Law to Prevent and Fight Against Human Trafficking, which was originally drafted in 2012 and awaited the President’s signature as of the end of 2016.(12, 23) The new law will expand legal provisions on protection and prevention measures for the crime of human trafficking and codify the Inter-Agency Trafficking Working Group.(12, 13)

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Timor-Leste's Penal Code and Labor Code do not sufficiently prohibit commercial sexual exploitation, hazardous work, child trafficking, forced labor, or illicit activities, in accordance with international standards. Existing legislation leaves children age 17 vulnerable to involvement in hazardous work and other worst forms of child labor.(7, 17, 18)

Although the National Commission against Child Labor approved a list of hazardous occupations and activities prohibited for children, the decree is awaiting approval by the Council of Ministers.(24-26) Timor-Leste's legal framework is not completely consistent with international standards regarding hazardous child labor. While the Labor Code specifies the conditions under which children ages 13 to 15 may be permitted to perform light work and limits the number of hours for light work, it does not indicate which specific activities qualify as light work.(17)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Secretariat of State for Professional Training and Employment Policy (SEPFPOE)	Enforce laws related to child labor. Administer the General Labor Inspectorate Directorate, which is responsible for investigating incidents of forced labor.(1)
Timor-Leste National Police (PNTL)	Enforce criminal laws against forced labor, commercial sexual exploitation, and human trafficking. Includes the Vulnerable Persons Unit, the immigration police, and the border police.(1)
Ministry of Social Solidarity (MSS)	Receive referrals from agencies, including the SEPFPOE, that are responsible for conducting child labor investigations and providing child victims with appropriate support services.(1) Maintain at least one technical officer in each of the country's 13 districts and two child protection officers in each of the 65 subdistricts, all trained to follow the Government's standard operating procedures.(14, 27, 28)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Timor-Leste took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$369,500 (29)	\$379,000 (12)
Number of Labor Inspectors	22 (29)	22 (12)
Number of Child Labor Dedicated Inspectors	4 (29)	0 (12)
Inspectorate Authorized to Assess Penalties	Yes (29)	Yes (12)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (29)	Unknown
Training on New Laws Related to Child Labor	N/A	Unknown
Refresher Courses Provided	Yes (29)	Unknown
Number of Labor Inspections	991† (29)	1,338 (26)
Number Conducted at Worksite	Unknown (29)	Unknown (12)
Number Conducted by Desk Reviews	Unknown (29)	Unknown (12)
Number of Child Labor Violations Found	0 (29)	0 (12)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	0 (12)
Number of Penalties Imposed that Were Collected	N/A	0 (12)
Routine Inspections Conducted	Yes (29)	Yes (30)
Routine Inspections Targeted	Yes (29)	Unknown (30)
Unannounced Inspections Permitted	Yes (29)	Yes (12)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Unannounced Inspections Conducted	Yes (29)	Yes (12)
Complaint Mechanism Exists	Yes (29)	Yes (12)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (29)	Yes (12)

† Data are from January 1, 2015 to October 31, 2015.

The Secretariat of State for Professional Training and Employment Policy's (SEPFOPE) enforcement of child labor laws remains challenging due to the lack of human resources for inspections and the lack of training on child labor enforcement.(12)

In 2016, the budget allocated for the labor inspectorate increased slightly.(12) However, inadequate transportation outside the capital city limits restricts the Inspectorate's ability to effectively conduct inspections in the rural areas of Timor-Leste, where child labor in the agriculture sector is prevalent.(31) SEPFOPE conducts routine unannounced inspections on-site, but it is limited to formal worksites and cannot conduct inspections of family farms or sites where children are engaged in domestic work.(12)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Timor-Leste took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	No (29)	N/A
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (10)	N/A
Number of Investigations	0 (29)	0 (12)
Number of Violations Found	0 (29)	0 (12)
Number of Prosecutions Initiated	0 (29)	0 (12)
Number of Convictions	0 (29)	0 (12)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (29)	Yes (12)

In 2016, the Vulnerable Persons Unit of the Timor-Leste National Police (PNTL) had a staff of 79 investigators charged with the enforcement of criminal laws related to the worst forms of child labor.(26) The overall budget for the PNTL was \$28.9 million.(12)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Commission against Child Labor (CNTI)	Facilitate information-sharing on child labor issues among government agencies and serve as the coordinating mechanism for filing and responding to child labor complaints.(31) Develop child labor policies, raise awareness, and contribute to efforts to ratify and implement international conventions related to child protection.(1) SEPFOPE is serving a 3-year term as the Technical Secretariat. Chaired by the SEPFOPE.(12, 31)
Inter-Agency Trafficking Working Group	Coordinate the Government's efforts to combat human trafficking, develop a national action plan against human trafficking, and promote the development of comprehensive anti-trafficking legislation. Chaired by the Ministry of Justice.(12)

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The Government reestablished the Inter-Agency Trafficking Working Group, conducted an anti-human trafficking educational campaign in seven schools, established a data collection team, and devoted funding and personnel resources to support the National Action Plan Against Human Trafficking.(12, 13, 32)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan Against Human Trafficking in Timor-Leste (2016–2018)†	Guides the Government’s efforts to combat human trafficking in Timor-Leste through prevention, protection, prosecution, and in the area of partnerships. Coordination of activities and responsibilities by the Ministry of Justice.(32, 33)
Timor-Leste Project for the Elimination of the Worst Forms of Child Labor	Aims to strengthen implementation of ILO C. 182 by establishing the Child Labor Commission Working Group, developing a hazardous work list, and creating a national action plan against child labor. Launched in 2009 in partnership with the ILO and the Government of Brazil.(31)
Timor-Leste Strategic Development Plan (2011–2030)	Provides short-term and long-term plans for the nation’s development, including the eradication of the worst forms of child labor, poverty alleviation, and implementation of social transfer programs.(1, 34) Specifies commitments to improve the educational system over the next 20 years.(34, 35)

† Policy was approved during the reporting period.

In 2016, the National Commission against Child Labor (CNTI) finalized the National Action Plan (NAP) Against Child Labor, which aims to eliminate child labor in Timor-Leste in all its forms by 2030, starting with the worst forms by 2025; however, it still requires approval by the Council of Ministers.(12, 16, 36) To achieve this goal, the NAP will be implemented by key stakeholders, including the Government and community-based organizations, and the work will be coordinated by technical working groups and overseen by CNTI.(16)

The Government has not included child labor elimination and prevention strategies into the National Education Strategic Plan and the Child and Family Welfare System Policy.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor†

Program	Description
Global Action Program on Child Labor Issues Project	USDOL-funded project implemented by the ILO that aims to build the capacity of the national government and develop strategic policies to address the elimination of child labor and forced labor in Timor-Leste.(37) In August 2016, held a workshop with relevant government and civil society agencies to produce a framework for the National Action Plan on child labor.(36) For additional information about USDOL’s work, please visit our Web site .
Child Labor Education and Outreach Program†	The SEPFOPE and the NCCL education and awareness-raising program targeted at children in five primary schools in Dili who have been identified as at risk for involvement in child labor.(31) In 2016, reached over 373 students in Dili and three other municipalities.(26)
Services for street children†	Government-funded safe house and support services for street children provided by the Youth Communication Forum. In 2016, assisted 36 children involved in child labor, primarily in the informal sector, including street vending.(30)
Mother’s Purse (<i>Bolsa da Mãe</i>)†	MSS program that provides an annual cash subsidy of \$60 to \$180 to poor families with a female head of household. Aims to improve the well-being of children by conditioning the subsidy on children’s school attendance and regular medical visits.(26, 31, 38) In 2016, served 51,759 families.(26)

† Program is funded by the Government of Timor-Leste.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(1, 9, 26, 27, 29, 39-41)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Timor-Leste (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law protects children age 17 from engagement in all the worst forms of child labor, such as hazardous work, commercial sexual exploitation, forced labor, and involvement in illicit activities, including the production and trafficking of drugs.	2013 – 2016
	Adopt the pending decree that specifies the hazardous occupations and activities prohibited for children.	2012 – 2016
	Ratify the Law to Prevent and Fight Against Human Trafficking.	2016
	Ensure that law's light work provisions are specific enough to prevent children from involvement in child labor.	2016
Enforcement	Publish criminal and law enforcement information, including the number of labor inspections conducted and training of investigators responsible for enforcing laws on the worst forms of child labor.	2015 – 2016
	Provide the resources and training needed to effectively enforce laws related to child labor to provide adequate coverage of the workforce.	2016
	Increase the inspectorate's capacity to conduct inspections in rural areas, where child labor in the agriculture sector is prevalent.	2016
	Authorize the SEPFOPE to conduct inspections in the informal sector where children are engaged in domestic work.	2016
	Ensure that labor inspectors receive training on new laws related to child labor.	2015 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2014 – 2016
	Adopt the National Action Plan Against Child Labor.	2016

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In 2016, Togo made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government significantly increased its number of labor inspectors for the third year in a row, identified 246 cases of child labor, and removed 23 children from hazardous child labor. The Government also created a National Domestic Workers' Trade Union that will combat child labor and protect domestic workers of legal working age. However, children in Togo perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in forced domestic work, sometimes as a result of human trafficking. The Government has not devoted sufficient resources to combat child labor, and enforcement of laws related to child labor remains weak. In addition, Togo's social programs to combat the worst forms of child labor do not match the scope of the problem and rely largely on nongovernmental and international organizations for implementation.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Togo perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in forced domestic work, sometimes as a result of human trafficking. (1-9) Table 1 provides key indicators on children's work and education in Togo.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (%)	5 to 14	29.6
Attending School (%)	5 to 14	86.1
Combining Work and School (%)	7 to 14	29.5
Primary Completion Rate (%)		84.3

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016. (10)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Demographic and Health Survey, 2013–2014. (4)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Working in agriculture, including exposure to pesticides,† harvesting cotton, cocoa, and coffee (3, 6, 8, 11) Raising cattle† (3)
Industry	Working in quarries and sand mines, including excavating, crushing rocks, sifting gravel, and carrying heavy loads† (1, 3, 7, 12-14) Working in carpentry† and tailoring (15) Construction, activities unknown (1, 8, 11)
Services	Domestic work† (1, 4-9, 11, 13, 16, 17) Carrying heavy loads† and small-scale vending in markets (1, 3, 6-8, 11, 13, 17) Operating motorcycle taxis, auto and motorcycle repair (1, 11, 15) Garbage scavenging (1, 11)
Categorical Worst Forms of Child Labor‡	Forced begging (3, 14) Commercial sexual exploitation, sometimes as a result of human trafficking (1-3, 8, 13, 17) Forced labor in agriculture, including coffee, cocoa, and cotton; domestic work; quarries; and markets, including carrying heavy loads; each sometimes as a result of human trafficking (2, 3, 9, 18, 19)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Togo is a source and transit country for victims of human trafficking to neighboring countries, although the majority of child trafficking cases are domestic.(2, 8, 9, 16, 18, 20, 21) The customary practice of *confiage*, which involves sending a child to a relative or friend to attend school in a larger town or city, may place children at risk of exploitation by internal human trafficking.(3, 6, 8, 13, 17) Parents may be complicit in child trafficking as a result of *confiage*, and some traditional chiefs and leaders do not discourage the practice.(9, 22)

Although education is free and compulsory by law, parents are responsible for paying associated fees and buying uniforms and school supplies, which makes education prohibitive for many families.(23-25) Research also found that distance to school, birth registration requirements, and physical and sexual abuse in schools also posed barriers to education for some.(6, 11, 17, 24, 26, 27)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Togo has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Togo's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 150 of the Labor Code; Article 262 of the Children's Code; Article 881.1a of the Penal Code (28-30)
Minimum Age for Hazardous Work	Yes	18	Article 151 of the Labor Code; Articles 6–12 of Order N° 1464 MTEFP/DGTLS Determining the Work Prohibited to Children (28, 31)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 6–12 of Order N° 1464 MTEFP/DGTLS Determining the Work Prohibited to Children; Articles 263–264 of the Children's Code; Articles 319.9 and 882 of the Penal Code; Article 151 of the Labor Code (28-31)
Prohibition of Forced Labor	Yes		Articles 4 and 151 of the Labor Code; Articles 264 and 411 of the Children's Code; Articles 150.3 and 151 of the Penal Code (28-30)
Prohibition of Child Trafficking	Yes		Article 151 of the Labor Code; Articles 2–6 of Law N° 2005-009 Suppressing Child Trafficking in Togo; Articles 264 and 411–414 of the Children's Code; Articles 150.3, 151, 317–323, and 882 of the Penal Code (28-30, 32)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 151 of the Labor Code; Articles 264, 276.f, and 387–390 of the Children's Code; Article 224 of the Penal Code (28-30)
Prohibition of Using Children in Illicit Activities	Yes		Article 151 of the Labor Code; Articles 264, 276.i, and 405 of the Children's Code; Articles 317.7, 319.9, and 329.8 of the Penal Code (28-30)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Military Recruitment			
State Compulsory	Yes*	18	Article 426 of the Children's Code; Articles 146.14, 147.11, and 342 of the Penal Code (29, 30)
State Voluntary	Yes	18	Article 426 of the Children's Code; Article 42 of Law N° 2007-010 Regarding the General Statute of the Togolese Armed Forces (29, 33)
Non-state Compulsory	Yes	18	Article 426 of the Children's Code; Articles 146.14, 147.11, and 342 of the Penal Code (29, 30)
Compulsory Education Age	Yes	15	Article 35 of the Constitution; Article 255 of the Children's Code (29, 34)
Free Public Education	Yes		Article 35 of the Constitution (34)

*No Conscription (33)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law enforcement and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Civil Service, Labor, and Administrative Reform (MOL)	Enforce all labor laws, including child labor laws.(8, 23) Through its Unit to Combat Child Labor (CELTE), withdraw children from child labor situations, raise awareness, and collect data.(3) Focal points within the inspectorate are located in each of the five regions to monitor child labor issues and raise awareness at the local level.(35)
Ministry of Justice and Government Relations	Enforce criminal laws related to the worst forms of child labor and prosecute violations.(11) Through its Anti-Trafficking Cell, serve as a resource for law enforcement agencies combating child trafficking and collect information from prosecutors as part of Togo's annual report to ECOWAS.(20)
Ministry of Social Action, Promotion of Women and Literacy (MASPFA), Director General for the Protection of Children	Raise awareness of child labor issues, enforce laws against the worst forms of child labor, provide technical assistance, and lead government efforts to combat human trafficking.(8, 22, 36) Operate the Allo 1011 hotline for reporting child abuse, including child trafficking.(2, 6, 8, 22, 36, 37)
Ministry of Security's Child Protection Brigades	Investigate crimes involving child victims, including child trafficking. Present in all five regions of Togo and operate as part of the National Police.(11)
National Commission of Human Rights	Receive complaints of human rights abuses, including the violation of children's rights, and forward such complaints to the children's court.(38)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Togo took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown* (39)	Unknown* (11)
Number of Labor Inspectors	109 (39)	167 (11)
Inspectorate Authorized to Assess Penalties	No (28)	No (11)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (39)	Yes (11)
Training on New Laws Related to Child Labor	Unknown	N/A
Refresher Courses Provided	Unknown	Unknown
Number of Labor Inspections	Unknown* (39)	Unknown* (11)
Number Conducted at Worksite	Unknown* (39)	Unknown* (11)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Number Conducted by Desk Reviews	Unknown* (39)	Unknown* (11)
Number of Child Labor Violations Found	Unknown* (39)	246 (11)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown* (39)	Unknown* (11)
Number of Penalties Imposed That Were Collected	Unknown* (39)	Unknown* (11)
Routine Inspections Conducted	Unknown	Yes (11)
Routine Inspections Targeted	Unknown	Unknown
Unannounced Inspections Permitted	Yes (28)	Yes (11)
Unannounced Inspections Conducted	Unknown	Unknown
Complaint Mechanism Exists	Yes (2, 36, 39)	Yes (11)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2, 36)	Yes (11)

* The Government does not publish this information.

The Labor Code makes labor inspectors responsible for reconciliation and arbitration in collective disputes, which may detract from their primary duties of conducting inspections and enforcing the Labor Code.(28, 40) Although the number of labor inspectors has grown significantly over the past three years, NGOs and the Ministry of Public Service, Labor, and Administrative Reform (MOL) believe that the current number of labor inspectors is still insufficient.(23, 39)

The MOL also acknowledges that it lacks resources for transportation, which hinders its ability to conduct investigations, particularly outside Lomé and the regional capitals. In addition, inspections are primarily focused on the formal sector in urban areas, which excludes the majority of working children.(11, 14, 23) During the reporting period, the Anti-Trafficking in Persons Cell identified 246 children in child labor and removed 23 children from hazardous working conditions.(11) Although the Allo 1011 hotline received more than 40,000 calls in 2016, it is unknown how many cases of child labor were identified as a result of these calls.(37, 39)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Togo took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Yes (14)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	N/A
Refresher Courses Provided	Yes (20, 39)	Unknown (11)
Number of Investigations	Unknown* (39)	Unknown* (11)
Number of Violations Found	Unknown* (39)	50 (25)
Number of Prosecutions Initiated	Unknown (19)	Unknown (11)
Number of Convictions	Unknown (19)	Unknown (11)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (11)

* The Government does not publish this information.

Inspectors and law enforcement officials often lack the necessary skills and resources to effectively enforce the law, including transportation.(11) Research also indicates that some law enforcement officials in regional offices do not have copies of existing child labor laws, and high turnover results in gaps of knowledge and enforcement capacity.(3, 14, 15) It is rare for cases involving child trafficking to be heard in court because prosecutors often have difficulty gathering evidence. Judges may be reluctant to impose fines or prison sentences for parents due to a fear of perpetuating the poverty that originally led them to violate child trafficking laws.(2, 6, 22) Although the Ministry of Justice investigated 101 individuals for human trafficking and found 60 individuals guilty, it is not known how many of these cases were related to children.(41)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee for the Prohibition and Elimination of the Worst Forms of Child Labor (CDN)	Coordinate and oversee all government efforts to combat child labor, including the approval of all action plans for the abolition of child labor.(8, 14) Raise awareness, promote child labor legislation, and collect data.(3) Led by CELTE, the CDN includes 13 ministries, NGOs, and private sector organizations combating child labor.
Anti-Trafficking in Persons Cell (formerly CNARSEVT)	Coordinate government efforts to combat human trafficking, including by rescuing and referring victims to shelters for social services and reintegration.(2, 8, 11, 14) Compile statistics on human trafficking and serve as the point of contact for repatriated child victims.(22) Comprises representatives from five ministries and chaired by MOL's Committee for Social Reintegration of Children.(11, 14) In 2016, expanded its scope to include adults and changed its name from the National Committee for the Reception and Social Reinsertion of Trafficked Children.(22)
Local Vigilance Committees	Raise awareness at the community level through Child Protection Committees and Local Committees Against Child Trafficking located throughout Togo. Committees identify child victims or children at risk and share information on human trafficking trends and prevention efforts with the MASPFA, which enforces laws regarding child labor.(8, 22)

Although the 2007 Children's Code provided for a coordinating body to implement the Children's Code and oversee the promotion and protection of children's rights in Togo, including by strengthening the legal framework, it has yet to be created.(29) Although some Local Vigilance Committees were very active during the reporting period, those that lacked regular engagement with the Government were less effective.(22) Research was unable to determine whether any coordinating bodies met in 2016 or whether they carried out any activities.(14)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Employment Policy (2013–2017)	Aims to eliminate child labor, build the capacity of the labor inspectorate, and increase vocational training and apprenticeship opportunities in support of the Decent Work Program.(13, 42, 43) Includes a pilot cash transfer program for 8,000 vulnerable children.(42) The accompanying Strategic Plan on Youth Employment (PSNEJ) aims to reduce children's early entry into the labor force by retaining them in school and improving the employability of older youth and their access to funding.(13, 43, 44)
Strategy to Increase Growth and Promote Employment (SCAPE) (2013–2017)	Serves as the primary national anti-poverty plan, which includes components on child labor and education.(8, 45)
Social Protection Policy of 2012	Aims to improve the employability of youth ages 15 to 17, prevent children from entering the labor force before the minimum working age, and promote decent work for youth. Aligned with SCAPE.(13)
Bilateral and Multilateral Agreements to Combat Child Trafficking	Quadripartite agreement among the Governments of Benin, Ghana, Niger, and Togo that works to prevent child trafficking along the countries' shared borders and facilitate the repatriation of trafficked children and the extradition of traffickers. Multilateral accords for West and Central Africa promote cooperation among regional states to combat child trafficking.(8, 19, 20) In 2016, funded and facilitated the repatriation of 99 Togolese victims of child trafficking from Côte d'Ivoire, Gabon, and Nigeria, an increase of 79 repatriations from the 20 repatriated in 2015.(19)

In 2016, the Government co-drafted a Charter on Maritime Security and Development in Africa that aims to combat transnational crime, including child trafficking.(46, 47) Although the Anti-Trafficking in Persons Cell recognizes the need to create a new national action plan to combat human trafficking, it has yet to do so.(14, 22) Research was unable to determine whether activities were undertaken to implement any policy during the reporting period, and only policy documents specific to labor and social protection include indicators related to child labor.(13) The Government has not included child labor elimination and prevention strategies in the Education Sector Plan (2010–2020).(48)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
Global Action Program on Child Labor Issues	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by The Hague Global Child Labor Conference in 2010.(49) In 2016, established a National Domestic Workers' Trade Union that will combat child labor and protect domestic workers of legal working age.(50) Additional information is available on the USDOL Web site .
World Bank-Funded Programs	Projects that combat child labor by improving social safety nets for vulnerable families and increasing access to education. Includes Togo Community Development and Safety Nets Project (2012–2017), a \$14 million project that provided conditional cash transfers, school meals, and 346 primary school classrooms in the Kara and Savanes regions by the end of July 2016; Education and Institutional Strengthening Project 2 (2015–2018), a \$27.8 million project that revised course textbooks for grades 1 and 2, provided teacher training, identified recipients of school grants, and selected 80 sites for promoting girls' education; and the Cash Transfer Program for Vulnerable Children in Northern Togo (2013–2017), [†] a \$2.55 million project implemented by the MASPFA that provides conditional cash transfers in northern Togo.(51-55)
Plan International-Funded Projects	Projects that aim to support youth development. Includes Monitoring Children's Rights (2015–2018), a \$393,000 Plan Sweden-funded, 3-year MASPFA project in support of SCAPE that aims to strengthen the institutional capacity of these organizations to better protect children in Benin, Burkina Faso, and Togo; and Gender-Sensitive and Violence-Free Education, a 3.5-year project co-funded by the Swedish International Development Cooperation Agency that aims to reduce violence in schools by eliminating corporal punishment and promoting children's rights in the Central and Plateau regions.(27, 56-58)
Shelters for Vulnerable Children [†]	Two MOL- and MASPFA-funded centers that provide temporary shelter and services for victims, including those referred by the Allo 1011 hotline.(2, 19, 23, 36) Victims may be transferred to NGO-run shelters for longer term support.(19)
National Fund for Inclusive Finance [†]	Government program that provides loans of up to \$60 to women in rural areas of Northern Togo that aims to reduce the demand for income provided by engaging in child labor.(11, 59)
National Plan for Registering Births in Togo (2013–2017) [†]	Plan to increase documentation of births by simplifying the process, educating families on the importance of birth registration, and increasing accessibility to birth registration in rural areas.(14, 60) In 2016, distributed birth certificates with the assistance of Care International and a local NGO.(14)

[†] Program is funded by the Government of Togo.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(11, 60)

The scope of these programs is insufficient to fully address the extent of the problem, however, and the Government relies heavily on NGOs and international organizations for implementation.(6, 22) As a result, many of these interventions may not be sustainable over the long term.(11)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Togo (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Enforcement	Strengthen the labor inspectorate by authorizing the inspectorate to assess penalties.	2014 – 2016
	Ensure that both labor inspectors and investigators receive refresher courses.	2009 – 2016
	Publish information about the number and type of investigations conducted, penalties imposed and collected, prosecutions initiated, and convictions made.	2010 – 2016
	Increase the number of labor inspectors and ensure that they have sufficient resources, skills, and transportation to carry out their primary duties of inspection and monitoring labor laws throughout the country, including in the informal sector.	2009 – 2016
	Enforce penalties for labor violations according to the law.	2014 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Coordination	Ensure that coordinating bodies are functional and are able to implement their mandates to combat child labor as intended.	2009 – 2016
Government Policies	Ensure that policies are implemented as intended and child labor indicators are included in all relevant policies.	2016
	Integrate child labor elimination and prevention strategies in the Education Sector Plan.	2013 – 2016
Social Programs	Increase access to education by eliminating school-related fees; making additional efforts to provide all children with birth registration; ensuring that schools are free from sexual and physical violence; and increasing the number of schools, especially in rural areas.	2010 – 2016
	Ensure that social protection programs to combat the worst forms of child labor are sufficient to address the scope of the problem and promote the long-term sustainability of project initiatives.	2009 – 2016

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In 2016, Tonga made a minimal advancement in efforts to eliminate the worst forms of child labor. Tonga joined the International Labor Organization in February 2016. Although research is limited, there is evidence that some children are reportedly engaged in the worst forms of child labor, in forced domestic work. Gaps in the legal framework remain; the country has no laws specifying a minimum age for work or defining hazardous forms of work for children under age 18, leaving children unprotected from labor exploitation. The Government has not established a coordinating mechanism, policy, or program to address child labor, including its worst forms.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Tonga, reportedly, engage in the worst forms of child labor, in forced domestic work.(1-3) Table 1 provides key indicators on children's work and education in Tonga. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		110.9

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2016.(4)
Data were unavailable from Understanding Children's Work Project's analysis, 2016.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity







Sector/Industry	Activity
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 2) Forced domestic work (1, 2)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Tonga has ratified one key international convention concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	
 ILO C. 182, Worst Forms of Child Labor	
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	

Tonga

MINIMAL ADVANCEMENT

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Tonga's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No		
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	No		Sections 69–70 of the Counter Terrorism and Transnational Organised Crime Act (6)
Prohibition of Child Trafficking	Yes		Section 69 of the Counter Terrorism and Transnational Organised Crime Act (6)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 115A and 125–126 of the Criminal Offences Act (7)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Military Recruitment			
State Compulsory	Yes*	18	Section 25 of the Defense Services Act (8)
State Voluntary	Yes	16	Section 25 of the Defense Services Act (8)
Non-state Compulsory	No		
Compulsory Education Age	Yes	18	Section 98 of the Education Act 2013 (9)
Free Public Education	No		Section 95 of the Education Act 2013 (9)

* No conscription (8)

Tonga joined the International Labor Organization in February 2016.(10, 11)

The Parliament has yet to pass the Employment Relations Bill, which would establish a minimum age for non-hazardous and hazardous work and would prohibit the categorical worst forms of child labor. In addition, the Parliament has not determined the types of hazardous work prohibited for children.(12-14)

The Counter Terrorism and Transnational Organised Crime Act is insufficient because it does not specifically prohibit trafficking children domestically, nor does it criminally prohibit forced labor, debt bondage, and slavery, unless they involve human trafficking.(1, 6)

The Criminal Offences Act prohibits the procurement of women and girls under age 21 for prostitution but does not criminalize the procurement of boys for prostitution.(15) In addition, the Act does not sufficiently prohibit commercial sexual exploitation, because the use of children under age 14 in the production of pornography is not criminally prohibited. The Act also does not specifically prohibit using children in illicit activities, particularly for producing and trafficking drugs.(7, 15, 16)

Although it does not appear that there are any laws that provide free basic education, there is a policy that sufficiently provides for free basic education to all children between the ages of 6 and 14.(17)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Commerce, Consumer, Innovation, and Labor	Enforce labor laws, including those relating to child labor and the worst forms of child labor.(18)
Tongan Police, Transnational Crime Unit, and Domestic Violence Unit	Enforce criminal laws relating to the worst forms of child labor.(14)
Ministry of Internal Affairs, Immigration Department	Collaborate with Tongan police and the Ministry of Commerce, Tourism, and Labor on the enforcement of criminal laws in cases in which foreign nationals are involved in the worst forms of child labor.(18)

Although the Ministry of Commerce, Consumer, Innovation, and Labor recognizes that more inspectors are needed to target sectors in which child labor is present, inadequate resources prevent it from doing so.(14, 19)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Tonga did not take actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (20)	Unknown
Number of Labor Inspectors	Unknown	Unknown
Inspectorate Authorized to Assess Penalties	Unknown	Unknown
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Unknown	Unknown
Number of Labor Inspections	Unknown	Unknown
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	Unknown	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown
Number of Penalties Imposed that Were Collected	Unknown	Unknown
Routine Inspections Conducted	Unknown	Unknown
Routine Inspections Targeted	Unknown	Unknown
Unannounced Inspections Permitted	Unknown	Unknown
Unannounced Inspections Conducted	Unknown	Unknown
Complaint Mechanism Exists	No (18)	No (14)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (18)	No (14)

Although Tonga has no formal child labor legislation, business license inspectors look for children engaged in the worst forms of child labor during their inspections. If there is a specific complaint, then the Chief Labor Inspector visits the site, conducts an investigation, and requests police involvement if necessary.(14)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Tonga did not take actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Unknown	Unknown
Number of Investigations	Unknown	Unknown
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (18)	Yes (14)

The Government did not employ specific investigators to enforce laws against the worst forms of child labor.(14)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Research found no evidence that the Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 8).

Table 8. Key Policies Related to Child Labor

Policy	Description
Tonga Education Policy Framework (2004-2019)	Aims to build the capacity of the Ministry of Education, improve school quality, and achieve universal primary education.(21, 22)

The Government has not included child labor elimination and prevention strategies into the Tonga Education Policy Framework.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

Research found no evidence that the Government funded or participated in programs that include the goal of eliminating or preventing child labor, including its worst forms.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Tonga (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography and the Palermo Protocol on Trafficking in Persons.	2013 – 2016
	Ratify ILO C. 182, Worst Forms of Child Labor, and the UN CRC Optional Protocol on Armed Conflict.	2016
	Establish labor regulations that include a minimum age of 14 for employment and a minimum age of 18 for hazardous work, in accordance with international standards.	2009 – 2016
	Ensure that hazardous occupations or activities are prohibited for children.	2009 – 2016
	Ensure that the law criminally prohibits forced labor, including debt bondage and slavery.	2015 – 2016
	Ensure that laws specifically prohibit domestic human trafficking of children and the use of children in illicit activities, including in the production and trafficking of drugs.	2014 – 2016

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws prohibit all forms of commercial sexual exploitation for both girls and boys under the age of 18.	2009 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Establish by law free basic public education.	2016
Enforcement	Publish information on labor law and criminal law enforcement activities, efforts, and relevant data.	2014 – 2016
	Establish a mechanism for reporting child labor complaints and ensure that labor inspectors have the training and resources necessary to respond to child labor complaints.	2013 – 2016
	Provide criminal investigators with the training and resources necessary to enforce laws prohibiting the worst forms of child labor.	2013 – 2016
	Establish referral mechanisms among the labor inspectorate, the police, and social welfare services to protect and rehabilitate children involved in child labor, including its worst forms.	2014 – 2016
	Increase the number of labor inspectors trained and responsible for targeting sectors in which child labor is present.	2016
Coordination	Establish a coordinating mechanism to combat the worst forms of child labor.	2009 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into this policy.	2016
Social Programs	Implement programs to address child labor in domestic work.	2010 – 2016

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Tunisia

SIGNIFICANT ADVANCEMENT

In 2016, Tunisia made a significant advancement in efforts to eliminate the worst forms of child labor. The Government passed the Law on the Prevention and the Fight Against Trafficking in Persons, which provides a legal definition for human trafficking crimes, strengthens punishments for offenders, and contains provisions for support to victims. The Government's new National Commission on Trafficking in Persons planned and conducted a national anti-trafficking awareness campaign. Further, the Government launched a USDOL-funded four-year project entitled Project Tunisien Ensemble Contre le Travail des Enfants (PROTECTE) to support the implementation of Tunisia's Child Labor National Action Plan. Regarding enforcement, border officials at the Ministry of the Interior and judges and magistrates at the Ministry of Justice received training on the new anti-trafficking law. Also, the Government took steps to increase the budget of the Labor Inspectorate over the previous year. Children in Tunisia perform dangerous tasks in street work. Children are also engaged in the worst forms of child labor, including in forced labor in domestic work and seasonal agriculture, sometimes as a result of human trafficking. The number of children dropping out of school, which may make them vulnerable to child labor, remains high. In addition, the law's minimum age protections do not apply to children who are engaged in work in the informal sector, and the Government has not made information available on labor law and criminal law enforcement.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Tunisia perform dangerous tasks in street work. Children also engage in the worst forms of child labor, including in forced domestic work, sometimes as a result of human trafficking. (1-5) Table 1 provides key indicators on children's work and education in Tunisia.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	3.0 (50,364)
Attending School (%)	5 to 14	94.2
Combining Work and School (%)	7 to 14	2.8
Primary Completion Rate (%)		99.7

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2011–2012.(7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, activities unknown (1-3, 5, 8-11)
Industry	Construction, activities unknown (3)
Services	Domestic work (1-4, 9, 12, 13)
	Street work, including shining shoes, begging, vending, auto washing and repairing, and scavenging garbage† (1-3, 5, 8-10, 14)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation as a result of human trafficking (4, 5, 10, 15, 16)
	Use in illicit activities, including stealing, smuggling, and drug trafficking (4, 5, 10, 14, 15)
	Forced labor in seasonal agriculture, activities unknown (13)
	Forced labor in domestic work and begging, each sometimes as a result of human trafficking (4, 10, 13, 15)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Children are engaged in child labor in the informal sector, predominantly in street work, including in vending and garbage scavenging.(13, 14) Child migrants from sub-Saharan countries and those fleeing conflict in Libya and Syria, as well as young girls from Tunisia's northwest region, are particularly vulnerable to human trafficking.(15) There were no reports in 2016 of forced recruitment of children by non-state armed groups.(10, 17)

Girls in Tunisia face additional barriers to education, including limited transportation options, security concerns while commuting, and parents prioritizing boys' education.(12, 18, 19) Students face barriers to education, especially in rural areas, in the form of lack of adequate transportation, household poverty, and religious customs.(3, 8, 10, 12, 18) As the Government has not conducted a National Child Labor Survey, research is lacking to determine the prevalence and sectoral distribution of child labor in Tunisia.

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Tunisia has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Tunisia's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Article 53 of the Labor Code; Article 2 of the Law on the Situation of Domestic Workers (20, 21)
Minimum Age for Hazardous Work	Yes	18	Article 58 of the Labor Code (20)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 1 of the Ministry of Social Affairs Order of January 19, 2000 (22)
Prohibition of Forced Labor	Yes		Articles 105 and 250 of the Penal Code; Articles 2(1), 2(5), 2(6) and 8 of the Law on the Prevention and the Fight Against the Trafficking of Persons (23, 24)
Prohibition of Child Trafficking	Yes		Articles 2, 3, 5, 8 and 23 of the Law on the Prevention and the Fight Against the Trafficking of Persons (24)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 226 bis, 232, 233, and 234 of the Penal Code; Article 25 of the Child Protection Code; Article 2(7) of the Law on the Prevention and the Fight Against the Trafficking of Persons (23-25)
Prohibition of Using Children in Illicit Activities	Yes		Articles 5 and 11 of Law No. 92–52 on Narcotics (26)
Minimum Age for Military Recruitment			
State Compulsory	Yes	20	Article 2 of the National Service Law (27)
State Voluntary	Yes	18	Article 2 of the National Service Law (27)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Non-state Compulsory	Yes	18	Article 2(5) of the Law on the Prevention and the Fight Against the Trafficking of Persons; Articles 3 and 18 of the Child Protection Code (24, 25)
Compulsory Education Age	Yes	16	Section 1 of the Law on Education (28)
Free Public Education	Yes		Article 38 of the Constitution (29)

During the reporting period, Tunisia passed the Law on the Prevention and the Fight Against the Trafficking of Persons, which provides a legal definition for trafficking crimes, strengthens punishments for trafficking offenders, and contains provisions for support to victims.(24, 30, 31) The types of hazardous work prohibited for children do not cover street work, an activity in which there is evidence of children working in an unhealthy environment. Further, the Government acknowledges, as evident from the high rates of recidivism, that the fines and penalties for child labor law violations are not dissuasive.(32)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Social Affairs (MSA)	Conduct labor inspections and assess fines and penalties for infractions.(10, 20) Coordinate with the Ministry of Education to identify and provide support to children vulnerable to child labor.(10) Maintain a database of human trafficking victims and work with the Ministry of Justice (MOJ) to ensure that victims of human trafficking are not prosecuted for trafficking crimes.(33) Collaborate with the Ministry of Education and the Ministry of Health to identify and provide support to children vulnerable to child labor.(10, 13, 16, 17)
Ministry of Women, Family, and Childhood	Through its Delegates for the Protection of Children, gather evidence and conduct investigations on child welfare cases, conduct needs assessments and intervention plans, and act as judicial police in cases of imminent danger to children.(17, 25)
Ministry of the Interior (MOI)	Investigate reports of child labor as a criminal violation, complaints that are outside of the labor inspectorate's mandate, including complaints in the informal sector.(14) Through its Child Protection Service in the National Police, address the commercial sexual exploitation of children and coordinate with MSA regarding violations.(10, 34) Through its Judicial Police, coordinate with MSA to refer cases of at-risk youth.(10, 17, 32, 35)
Ministry of Justice (MOJ)	Coordinate anti-trafficking efforts and the criminal enforcement of child labor laws.(16)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Tunisia took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$4,966,000 (14)	\$5,425,994 (10)
Number of Labor Inspectors	347 (14)	357 (10)
Number of Child Labor Dedicated Inspectors	Unknown	26 (10)
Inspectorate Authorized to Assess Penalties	Yes (14)	Yes (10)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (14)	Yes (10)
Training on New Laws Related to Child Labor	N/A	Yes (32)
Refresher Courses Provided	Unknown	Yes (10)

Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Number of Labor Inspections	16,133 (14)	19,913 (17)
Number Conducted at Worksite	367 (14)	Unknown (10)
Number Conducted by Desk Reviews	Unknown	Unknown (10)
Number of Child Labor Violations Found	61 (14)	140 (17)
Number of Child Labor Violations for Which Penalties Were Imposed	4 (14)	6 (17)
Number of Penalties Imposed That Were Collected	4 (14)	6 (17)
Routine Inspections Conducted	Yes (14)	Yes (10)
Routine Inspections Targeted	Unknown	Yes (10)
Unannounced Inspections Permitted	Yes (14, 20)	Yes (10)
Unannounced Inspections Conducted	Unknown	Yes (10)
Complaint Mechanism Exists	Yes (14)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (14)	Yes (17, 32)

In 2016, the Government increased the budget of the Labor Inspectorate by 9.2 percent over the previous year.(10) However, the Government also noted that the budget for fuel and transportation was inadequate to carry out inspections, especially in remote areas of the country.(10, 14)

Mechanisms do not exist to enforce the minimum age protections for children on inhabited premises such as private homes, without permission of the property owner or a court order.(10, 14, 20)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Tunisia took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	No (17)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes (10)
Refresher Courses Provided	Yes (35)	No (17)
Number of Investigations	41 (36)	292 (17)
Number of Violations Found	Unknown	292 (17)
Number of Prosecutions Initiated	Unknown (35)	5 (17)
Number of Convictions	Unknown (35)	Unknown (10)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (14)	Yes (10, 32)

In 2016, border officials at the MOI and judges and magistrates at the Ministry of Justice received training on the new Law on the Prevention and the Trafficking of Persons, as well as training focused on the identification and treatment of vulnerable trafficking in persons victims.(10, 16, 30)

A referral mechanism exists between the Judicial Police at the MOI and social services at the MSA for at-risk youth, including victims of human trafficking, street work, and domestic work.(10, 17, 32, 35)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee for the Implementation of the Child Labor National Action Plan (NAP-TN)	Coordinate efforts to combat child labor. Led by MSA, includes membership of five other ministries and two unions, with support from ILO.(14, 37-39) In 2016, held a national seminar on child labor, during which the Child Labor National Action Plan was presented and explained to an audience of approximately 60 civil society members, government officials, international organizations, and members of the diplomatic community.(17)
National Commission on Trafficking in Persons†	Coordinate anti-human trafficking efforts and raise awareness of human trafficking issues. Include membership of 12 ministries, two members of civil society, one media representative and one member of the National Commission of Human Rights.(16, 17, 40) In 2016, the committee planned and conducted a national anti-trafficking awareness campaign, met several times to coordinate efforts to implement the Law on the Prevention and the Fight Against Trafficking in Persons, and drafted a National Strategy Against Trafficking in Persons in Tunisia.(10, 16, 17, 41-43)

† Mechanism to coordinate efforts to address child labor was created during the reporting period.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
Child Labor National Action Plan (2015–2020)	Aims to raise awareness, build the capacity of stakeholders, and encourage action from NGOs and the public.(14, 34, 37) In 2016, began implementation with the appointment of a high-level Government point of contact and consultations with ILO before activities begin.(44)
UNICEF Country Program Document (2015–2019)†	Aims to decrease dropout rates and improve education quality and access to early education, teach life skills to adolescents, and improve access to information to protect children against violence and economic exploitation. (45, 46) In 2016, the Government and UNICEF signed the second phase of the program, focusing on the support of social and health policies, reform of the education system, and child protection.(47)
National Action Plan to Combat Trafficking in Persons (2015–2017)	Aims to build the capacity of civil society to address human trafficking; boost public awareness of human trafficking; and train police, customs, and penitentiary officials to identify victims of human trafficking.(33, 48) In 2016, the MOJ launched a national awareness campaign called “Not for Sale,” in conjunction with IOM; campaign included several short films and dramatic reenactments depicting victims of trafficking, which were released on social media and national television and shared with stakeholders.(17, 41, 49)

† Policy was approved during the reporting period.

During the reporting period, the National Commission on Trafficking in Persons, in cooperation with UNODC and Tunisian civil society representatives, drafted a national strategy against human trafficking in Tunisia, but the strategy has not been finalized.(17, 42)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor†

Program	Description
USDOL-Funded Projects to Address Child Labor	USDOL projects in Tunisia aim to conduct research on child labor and strengthen Tunisia’s ability to implement its Child Labor National Action Plan, a multi-stakeholder effort involving government, business, and civil society. These projects include PROTECTE,* \$3 million project implemented by the ILO; and the Global Research on Child Labor Measurement and Policy Development (MAP), implemented in at least 10 countries by the ILO.(10, 14, 44, 50, 51) For additional information about USDOL’s work, please visit our website .

Table 10. Key Social Programs to Address Child Labor[†] (cont)

Program	Description
Support Efforts to Combat Human Trafficking (2014–2017)	USDOS-funded project implemented by IOM to carry out anti-human trafficking activities in collaboration with the Ministries of Justice; Interior; Social Affairs; and Women, Family, and Childhood. Includes three objectives: (a) build the capacity of relevant institutions and agencies to identify and assist victims of trafficking based on their individual needs; (b) strengthen cross-sector cooperation and the sharing of information through the implementation of a national referral mechanism; and (c) conduct an awareness-raising campaign to keep children in school and discourage illegal migration that could lead to human trafficking.(34) In 2016, continued the implementation of the SHARE II project. The steering committee held three meetings and a discussion on human trafficking issues with representatives of 11 sub-Saharan NGOs based in Tunisia. Also provided training for 37 migration focal points at the Tunisian Red Crescent on human trafficking issues and further participated in several seminars and workshops.(49)
Shelters and Services for Victims of Human Trafficking [†]	MSA operates shelters to serve victims of human trafficking, particularly children. Provides services that include lodging, food, clothing, psychological services, legal aid through a network of pro bono lawyers, and free medical care in collaboration with the Ministry of Health. Places unaccompanied children and adults in dedicated centers to receive schooling. In 2016, the Government trained shelter staff in Sfax and Sousse to provide service and care for human trafficking victims through a series of programs organized by IOM with a budget of \$200,000 spanning September 2016–September 2017.(30, 33, 35, 52, 53)
Centers to Provide Aid to Victims of Child Labor [†]	The Government maintains 22 youth centers, with two additional youth centers under construction during the reporting period, and 67 child protection institutions that can serve up to 6,000 children engaged in child labor or vulnerable to child labor.(34, 54) In 2016, 19 Centers for Social Defense and Integration provided assistance to children who are homeless, have had trouble with the law, or experienced domestic trauma.(14) Centers for Social Protection provided material and moral support to vulnerable children.(14) Social and Educative Centers developed educational programs and activities for at-risk children.(14)
Programs to Reduce School Dropout Rates [†]	MOE-funded School Dropout Prevent Program maintains over 2,500 social protection units in schools and mobile units in rural areas to monitor students and prevent school dropout, covering 43% of all educational institutions. In 2016, the units supported 10,700 children at risk of dropout out of 14,800 total cases.(54) A separate UN WFP-funded program provides technical support to the MOE for a national school feeding program to reduce dropout rates in public primary schools, reaching 240,000 children in 2,500 schools.(55)

[†] Program is funded by the Government of Tunisia.

* Program was launched during the reporting period.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(17, 30, 56, 57)

Although Tunisia has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem.(14)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Tunisia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the hazardous occupations and activities prohibited for children are comprehensive.	2016
Enforcement	Publish information on labor law enforcement, including the number of labor inspections conducted at worksites and by desk reviews.	2015 – 2016
	Provide adequate resources for the labor inspectorate to conduct additional inspections, particularly in remote areas.	2015 – 2016
	Ensure mechanisms exist to enforce the minimum age protections for children on inhabited premises, such as private homes, without permission of the property owner or a court order.	2014 – 2016
	Collect and publish information on the number of convictions related to the worst forms of child labor.	2013 – 2016
	Provide sufficient initial training for new employees and refresher training to agents in charge of criminal law enforcement of child labor laws.	2014 – 2016
	Conduct a National Child Labor Survey to identify the prevalence and sectoral distribution of child labor.	2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Increase penalties for those who employ children in child labor.	2016
Social Programs	Address barriers to education, such as lack of reliable transportation, household poverty, and religious custom.	2015 – 2016
	Provide sufficient resources to expand existing programs to address the scope of the child labor problem.	2015 – 2016

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In 2016, Turkey made a moderate advancement in efforts to eliminate the worst forms of child labor. In cooperation with the ILO and other partners, the Government continued to implement a project that provided services to more than 1,000 children working in commercial hazelnut production. It adopted a regulation to improve provision of education and other services to children of mobile seasonal agricultural workers. In addition, security forces established and provided training for 33 new units that will focus on crimes against women and children, including child trafficking. However, children in Turkey perform dangerous tasks in mobile seasonal work in agriculture and in street work. The Government does not have laws that protect children working in agricultural enterprises employing fewer than 50 workers. The Government made important progress in expanding access to education and other services for several hundred thousand Syrian refugee children, although increased economic hardship and limited work opportunities for adult refugees in urban areas left children at increased risk of exploitation in the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Turkey perform dangerous tasks in mobile seasonal agriculture and in street work.(1-24) Table 1 provides key indicators on children's work and education in Turkey.

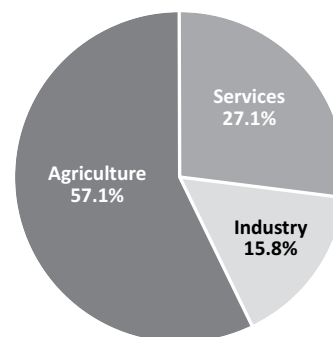
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	6 to 14	2.6 (320,254)
Attending School (%)	6 to 14	92.4
Combining Work and School (%)	6 to 14	1.6
Primary Completion Rate (%)		99.8

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(25)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Child Labor Survey, 2006.(26)

Figure 1. Working Children by Sector, Ages 10-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of cotton, hazelnuts, citrus fruits, sugar beets, cumin, peanuts, pulses, apricots, melons, and cherries (1-19)
Industry	Production of furniture, bricks, shoes, leather goods, and textiles (9, 11, 16, 18, 20-22, 27-35) Auto repair† (9, 11, 27) Mining† (10, 36)
Services	Street work, including vending small items, carrying bundles in market areas, cleaning car windshields, collecting recyclable materials, and begging (9-11, 16, 18, 20-24, 27, 37, 38) Working in restaurants and small shops (20, 33)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (27, 39-41) Forced recruitment of children by non-state armed groups for use in armed conflict (18)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Due to the seasonal nature of agricultural work throughout the country, children engaged in agricultural work often migrate with their families for up to seven months of the year. Significant numbers of these children have limited access to health care and education as a result of migration.(4, 7, 8, 12, 19, 27, 28)

Government and media reports indicated that the recruitment and use of children under age 18 by the Kurdistan Workers' Party (PKK), a U.S.-designated terrorist organization, continued in 2016.(18) The current number of child soldiers in the PKK and other Kurdish militant groups remains unclear.




Credible academic, media, and other reports continued to suggest growing numbers of child laborers within the increasing Syrian refugee population during the reporting period. There were over 3 million refugees living in Turkey at the end of 2016.(18) Poverty and a lack of meaningful employment opportunities for many adults leave refugee children extremely vulnerable to exploitation in the worst forms of child labor.(19, 37, 38, 42-44) Syrian refugee children engaged in street begging, as well as manufacturing work such as the production of shoes, furniture, and textiles, often working long hours and earning wages as little as half of what an employer would pay an adult.(10, 11, 22, 29, 32-35) Syrian refugee and other children were also vulnerable to exploitation in the agriculture sector, where Syrian families tended to receive lower pay and live in worse conditions than Turkish workers.(12, 18, 19) Monitoring and collecting data on child labor in refugee communities remained a challenge.(10)

The Government continued to expand education for refugee children, reducing the number of Syrian refugee children not enrolled in school from an estimated 650,000 in 2015 to fewer than 345,000 in 2016.(11, 33, 45, 46) However, the barriers to education access for hundreds of thousands of Syrian refugee children who live in urban areas remain significant. Some schools for Syrian children charge informal tuition or other fees that many families are unable to afford.(11, 20, 33) Many Syrian children struggle to integrate into Turkish schools due to the language barrier and do not have access to accelerated Turkish language programs.(11) Many families have not received sufficient information on how to enroll their children in Turkish schools, and some schools refuse entry to Syrian children, despite national directives requiring that Syrian children be provided with education.(11)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Turkey has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Turkey's legal framework to adequately protect children from the worst forms of child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	
Minimum Age for Work	No	15	Article 100 of the Labor Code (36)
Minimum Age for Hazardous Work	Yes	18	Article 101 of the Labor Code; Articles 10 of Decree 2007-563 (36, 37)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 101 of the Labor Code; Articles 10, 12 and 16-22 of Decree 2007-563 (36, 37)

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Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	
Prohibition of Forced Labor	Yes		Article 4 of the Labor Code; Article 8 of Law 2014-040; Article 15 of Decree 2007-563; Articles 333 and 335 of Law 2007-038; Article 1 of Law 2014-040 (36-39)
Prohibition of Child Trafficking	Yes		Article 15 of Decree 2007-563; Articles 333 and 335 of Law 2007-038; Articles 1 and 8 of Law 2014-040 (37-39)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 13 of Decree 2007-563; Article 335 of Law 2007-038; Article 1 of Law 2014-040 (37-39)
Prohibition of Using Children in Illicit Activities	Yes		Articles 11 and 14 of Decree 2007-563(37)
Minimum Age for Military Recruitment			
State Compulsory	NA*		
State Voluntary	Yes	18	Article 11 of Ordinance No. 78-002 (40)
Non-state Compulsory	Yes	18	Articles 15 of Decree 2007-563(37)
Compulsory Education Age	Yes	16 [‡]	Article 24 of the Constitution; Article 39 of Law 2008-011 (34, 41)
Free Public Education	Yes		Article 24 of the Constitution (34)

* No voluntary military service (54)

‡ Age calculated based on available information

In March 2016, the Ministry of National Education issued a regulation developed in consultation with the ILO that sets forth a process for closer monitoring of the children of mobile seasonal agricultural workers. Among other things, the regulation established monitoring boards in areas that are both sources of and destinations for seasonal workers.(18) Boards are tasked with providing direct services to children, monitoring school enrollment and attendance, and raising awareness among families. The government reported starting construction on 64 schools in 13 provinces to improve education access for the children of seasonal workers.(18)

Turkey's Labor Law excludes from coverage agricultural enterprises employing fewer than 50 workers, which are workplaces likely to employ children.(47) This gap in the law leaves children and other workers vulnerable to exploitative conditions without legal protection.(17, 27)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Labor Inspection Board Presidency within the Ministry of Labor and Social Security (MOLSS)	Implement laws on child labor and hazardous child labor, including regulating work environments and conditions for children. Monitor the implementation of the Labor Law provisions in workplaces under its jurisdiction.(10) Conduct joint inspections with the Mentoring and Inspection Presidency to find children under legal working age who have dropped out of school, and direct them back into education.(10) Receive complaints about labor law violations, including child labor, via a hotline.(10)
Mentoring and Inspection Presidency Within MOLSS	Monitor compliance with laws related to social security of all workers, including child workers. Conduct joint inspections with the Labor Inspection Board Presidency to find children under legal working age who have dropped out of school and refer them to education services.(10)
Turkish National Police and Gendarmerie General Command (<i>Jandarma</i>)	Enforce the Penal Code, including criminal laws related to the worst forms of child labor.(10, 55) The Gendarmerie General Command (<i>Jandarma</i>) enforces laws in rural areas that are outside of the jurisdiction of National Police.(18, 55)
Department for Protection of Victims of Human Trafficking within the Directorate General for Migration Management	Coordinate the identification of human trafficking victims, including victims of child trafficking.(41) Manage a hotline providing 24-hour, toll-free support in multiple languages for human trafficking victims.(43)
Ministry of Justice	Prosecute cases of child labor and child exploitation.(10)

Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Ministry of Family and Social Policy (MFSP)	Coordinate and provide services to children living or working on the street through the Directorate General of Child Services. Operate a hotline to receive complaints about child rights violations, including child labor.(10)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Turkey took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown* (10)	Unknown*(18)
Number of Labor Inspectors	977 (10)	1002 (18)
Inspectorate Authorized to Assess Penalties	Yes (10)	Yes (18)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (10)	Yes (18)
Training on New Laws Related to Child Labor	Unknown	Yes (18)
Refresher Courses Provided	No (10)	Yes (18)
Number of Labor Inspections	19,255 (10)	21,329+ (18)
Number Conducted at Worksite	19,255 (10)	21,329+ (18)
Number Conducted by Desk Reviews	0 (10)	0 (18)
Number of Child Labor Violations Found	Unknown	Unknown* (18)
Number of Child Labor Violations for Which Penalties Were Imposed	27 (10)	71 (18)
Number of Penalties Imposed That Were Collected	Unknown* (10)	Unknown* (18)
Routine Inspections Conducted	Yes (10)	Yes (18)
Routine Inspections Targeted	Yes (10)	Yes (18)
Unannounced Inspections Permitted	Yes (10)	Yes (18)
Unannounced Inspections Conducted	Yes (10)	Yes (18)
Complaint Mechanism Exists	Yes (10)	Yes (18)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (18)

* The Government does not publish this information.

† Data are from January 1, 2016, to November 30, 2016.

In 2016, the number of labor inspectors authorized to conduct inspections remained insufficient for the size of Turkey's workforce, which includes over 30 million workers. According to the ILO recommendation of 1 labor inspector for every 15,000 workers in industrializing economies, Turkey should employ approximately 1,960 labor inspectors.(56-58) Labor inspectors spend the first 3 years of their careers as assistant inspectors. They receive on-the-job training that includes modules to raise their awareness of child labor and of the legal provisions and enforcement mechanisms to address it.(54)

In 2016, employers who violated prohibitions were subject to administrative fines of approximately \$430. Fine amounts are adjusted annually, but generally they are insufficient to deter violations.(18)

Although there is no formal referral mechanism, research found that children discovered to be working illegally during the course of inspections were referred for social services.(10, 54)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Turkey took actions to combat the worst forms of child labor (Table 7).

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Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Unknown
Refresher Courses Provided	Yes (41)	Unknown
Number of Investigations	Unknown	Unknown
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (41)	Yes (18)

Enforcement of laws against child trafficking, particularly pertaining to identification of victims, was insufficient, although the Government continued to improve its victim-identification efforts.(38, 59) The Government reported a 68 percent increase in victims identified during the reporting period, compared to the previous year.(60)

In 2016, the Gendarmerie General Command (*Jandarma*) established, staffed, and provided two weeks of training for 33 specialized units on crimes against women and children, including child trafficking. By 2019, the Government plans to establish and staff one specialized *Jandarma* unit in every province.(18) During the reporting period, the Turkish National Police also created a new unit responsible for trafficking in persons.(60)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Child Labor Branch of the Employment Policies Directorate Within MOLSS	Coordinate all child labor programs and efforts of the Ministry of Education, the Child Services Directorate General in MFSP, the Ministry of the Interior, the Ministry of Justice, and NGOs.(10)
The Child Services Directorate General Within MFSP	Coordinate services for children living and working on the streets.(10)
Directorate General for Migration Management (DGMM)	Coordinate the implementation of migration law, including laws related to irregular migration, refugees, and human trafficking.(61, 62)
National Task Force on Combating Human Trafficking	Coordinate policy on human trafficking. Chaired by the DGMM, which plans to transition the task force to a national commission under the Ministry of Interior.(38, 41)

The National Steering Committee and Advisory Board on Child Labor were disbanded following the expiration of the Time-Bound National Policy and Program Framework for the Prevention of Child Labor in 2015. Research found that the Government intends to establish a new coordination mechanism in 2017 in concert with the finalization of the new National Program to Combat Child Labor.(18)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Child Rights Strategic Document and Action Plan (2013–2017)	Sets out the framework and actions for promoting services for children in fields such as health care and education.(63) Includes a section addressing child labor issues.(44, 54)
Second National Action Plan on Combating Human Trafficking	Outlines Turkey’s strategy for the prevention of human trafficking. Identifies children as an exceptionally vulnerable group and calls for special security precautions for children at shelters for victims, as well as increased international cooperation on preventing child trafficking.(43, 64)

Table 9. Key Policies Related to Child Labor (cont)

Policy	Description
National Employment Strategy (2014–2023)	Aims to identify and solve labor market issues, with the goal of job creation and sustained economic growth. Includes the prevention of child labor, especially hazardous work in agriculture, as a focus of the plan, and advocates for increased access to education and strengthened social services as a means of preventing child labor.(65)
Tenth Development Plan (2014–2018)	Identifies Turkey’s strategy and goals for economic development. Includes the priorities of alleviating child poverty and increasing equal opportunity in education.(66) Includes provisions for the prevention of the worst forms of child labor.(54)

The Government’s primary child labor policy, the Time-Bound National Policy and Program Framework for the Prevention of Child Labor, expired in 2015. The MOLSS continued developing a replacement policy—the National Program to Combat Child Labor—during the reporting period, in consultation with the ILO and other stakeholders.(18) Although this new policy had not been finalized at the end of the reporting period, the Government indicated that it would prioritize addressing street work, work in small- and medium-sized enterprises, and seasonal migratory agriculture.(18)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2015, the Government of Turkey funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Improving Social Integration and Employability of Disadvantaged Personst	\$34 million project jointly funded by the EU and the Government of Turkey. Aims to promote an inclusive labor market with opportunities for disadvantaged persons, with a view to their sustainable integration into the labor force.(67, 68) Also aims to combat all forms of discrimination in the labor market through service and grant components, including allocation of specific grant funds for projects targeting the Roma population.(18, 54, 67, 68) Includes the goal of combating child labor by supporting the entry of working children’s parents into the labor market.(67, 68)
Piloting the USDA Guidelines in the Hazelnut Supply Chain in Turkey	\$4.87 million USDOL-funded, 31-month project implemented by the Fair Labor Association, in partnership with Nestle and two of its main hazelnut suppliers, Olam-Progida and Balsu, in Turkey. Aims to pilot a sustainable program to implement the U.S. Department of Agriculture’s Guidelines for Eliminating Child and Forced Labor in Agricultural Supply Chains in 1,000 hazelnut gardens in Duzce, Ordu, and Sakarya, with additional interventions implemented in the environs of Sanliurfa, the source of most seasonal migrant labor in Turkey.(69) In 2016, the project reached 107 families of seasonal agricultural workers and 284 children, 115 of whom were determined to be at risk and received social services.(18) The project engaged with 60 labor contractors, 97 local government representatives and community members, and 101 field owners to raise awareness about child labor.(69) The project also undertook company institutional surveys and worker demographic profiling to inform internal monitoring tools and procedures, as well as harvest remediation activities.(70)
Integrated Model for the Elimination of the Worst Forms of Child Labor in Seasonal Agriculture in Hazelnut Harvesting (2012–2017)	ILO- and MOLSS-implemented project funded by the Association of Chocolate, Biscuit, and Confectionery Industries of Europe (CAOBIISCO). Takes an integrated approach to preventing children from working by increasing access to education and improving living conditions of children vulnerable to the worst forms of child labor in hazelnut harvesting, building capacity of local and national institutions to prevent child labor, and raising awareness among industry stakeholders and the public.(10) In 2016, the project reached 1,200 children, 1,015 of whom were removed from work or placed in school.(18)
Global Action Program on Child Labor Issues Project	USDOL-funded project implemented by the ILO in approximately 40 countries. Aims to improve the evidence base on child labor through data collection and research in Turkey.(71) Additional information is available on the USDOL Web site.
Conditional Education and Health Care Assistance Program†	Government program that aims to reduce poverty through cash transfers.(72) Also provides milk to all primary school children and distributes books free of charge.(73)
Programs for Syrian Refugee Children	The Government has partnered with various international organizations and foreign governments to fund schools for Syrian refugee children and to provide Syrian refugee child laborers with additional educational and social services.(18)
Programs focused on Human Trafficking†	The EU funded two separate projects, both co-managed by the DGMM, to improve trafficking victim identification and protection through training and capacity-building.(41) The Government also funds shelters for human trafficking victims that provide social services and legal help to victims.(43, 54)

† Program is funded by the Government of Turkey.

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Although programs exist to address child labor in the hazelnut sector, the Government generally lacks programs to address child labor in the other areas in which it was most prevalent, including other forms of mobile seasonal agriculture outside of the hazelnut sector, as well as in street work, and small and medium manufacturing enterprises.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Turkey (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law provides protections for children working in small agricultural enterprises.	2009 – 2016
	Ensure that the law explicitly criminally prohibits the recruitment of children under 18 by non-state armed groups.	2015 – 2016
Enforcement	Publish information on the Labor Inspectorate's funding and on the number of violations found and penalties collected.	2015 – 2016
	Increase the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce.	2014 – 2016
	Increase the penalties for violation of child labor laws to an amount sufficient to deter violations.	2014 – 2016
	Publish disaggregated data on the number of investigations, violations, prosecutions, and convictions related to child trafficking.	2014 – 2016
	Ensure that laws prohibiting the trafficking of children are effectively enforced, including by taking sufficient steps to identify victims of child trafficking.	2015 – 2016
Policies	Adopt and implement the successor to the Time-Bound National Policy and Program Framework for the Prevention of Child Labor to address all relevant worst forms of child labor, such as street work, hazardous work in small- and medium-sized enterprises, and seasonal migratory agriculture.	2016
Social Programs	Continue to institute programs to increase access to education and health care for children working in mobile seasonal agriculture, particularly outside the hazelnut sector.	2014 – 2016
	Continue to expand the provision of affordable education to Syrian refugee children, including by enforcing national directives affording Syrian children access to the Turkish school system at the local level.	2014 – 2016
	Continue to expand programs to address child labor in the sectors in which it is most prevalent, including mobile seasonal agriculture, street work, and small and medium manufacturing enterprises.	2015 – 2016

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In 2016, Tuvalu made a minimal advancement in efforts to prevent the worst forms of child labor. The Government continued consultations on the draft Labor and Employment Relations Bill, with the aim of improving the law's compliance with international standards on child labor. Although research is limited and the problem does not appear to be widespread, children in Tuvalu engage in child labor in fishing. The Government lacks data on the enforcement of child labor laws, and the legal framework has gaps that leave children vulnerable to engagement in hazardous work and other worst forms of child labor.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited and the problem does not appear to be widespread, children in Tuvalu engage in child labor in fishing.(1-3) Table 1 provides key indicators on children's work and education in Tuvalu. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		97.8

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(4)
Data were unavailable from Understanding Children's Work Project's analysis, 2016.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity




Sector/Industry	Activity
Agriculture	Fishing, activities unknown (1-3)

Tuvalu lacks data to determine the prevalence and nature of child labor, including its worst forms, in the country.

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Tuvalu has ratified one key international convention concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	
ILO C. 182, Worst Forms of Child Labor	
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	

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The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Tuvalu’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Article 84 of the Employment Act (6)
Minimum Age for Hazardous Work	No	15 [‡]	Articles 85–87 of the Employment Act (6)
Identification of Hazardous Occupations or Activities for Children	Yes		Articles 85–87 of the Employment Act (6)
Prohibition of Forced Labor	Yes		Article 75 of the Employment Act; Articles 244 and 249 of the Penal Code; Article 68 of the Counter Terrorism and Transnational Organized Crime Act; Article 18 of the Constitution of Tuvalu (6-9)
Prohibition of Child Trafficking	Yes		Article 68 of the Counter Terrorism and Transnational Organized Crime Act; Articles 136 and 244 of the Penal Code (7, 9)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 136, 137, 139–143, and 166 of the Penal Code (7)
Prohibition of Using Children in Illicit Activities	No		Articles 141–142 of the Penal Code (7)
Minimum Age for Military Recruitment			
State Compulsory	N/A [†]		
State Voluntary	N/A [†]		
Non-state Compulsory	No		
Compulsory Education Age	Yes	15	Education Order (10)
Free Public Education	No		

[†] No standing military (11)

[‡] Age calculated based on available information (6)

Tuvalu’s Employment Act does not clearly establish 18 as the minimum age for hazardous work in accordance with international standards.(6) The Government continued consultations on the draft Labor and Employment Relations Bill, which reportedly includes provisions to bring national legislation into compliance with international standards on the worst forms of child labor, but the law was not adopted during the reporting period.(12)

Tuvalu’s laws do not sufficiently prohibit the commercial sexual exploitation of children, as use, procuring, and offering of boys ages 15 through 17 is not criminally prohibited.(7, 13) In addition, laws do not specifically criminalize the use, procuring, or offering of a child for pornography or pornographic performances.(7, 14) Although the law criminalizes the procurement of children younger than 15 for unlawful and immoral purposes, it fails to criminalize the use, procuring, or offering of all children under 18 for illicit activities, such as the production and trafficking of drugs.(7) Child trafficking is prohibited in Tuvalu; however, the law prescribes a harsher punishment for individuals involved in the trafficking of adults than for those involved in the trafficking of children.(9) Laws do not prohibit recruiting children under 18 into non-state armed groups.

Laws do not ensure free basic education in Tuvalu, but there is a policy that sufficiently provides for free basic education.(15-18)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

Research found no evidence that law enforcement agencies in Tuvalu took actions to combat child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor	Enforce labor laws, including those related to child labor.(12)
Tuvalu Police Force	Enforce criminal laws related to the worst forms of child labor.(12)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Tuvalu did not take actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (19)	Unknown (12)
Number of Labor Inspectors	2 (19)	2 (12)
Inspectorate Authorized to Assess Penalties	No (20)	No (12)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown (19)	Unknown (12)
Training on New Laws Related to Child Labor	N/A	N/A (12)
Refresher Courses Provided	Unknown (19)	Unknown (12)
Number of Labor Inspections	Unknown (19)	Unknown (12)
Number Conducted at Worksite	Unknown (19)	Unknown (12)
Number Conducted by Desk Reviews	Unknown (19)	Unknown (12)
Number of Child Labor Violations Found	0 (19)	0 (12)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (19)	N/A (12)
Number of Penalties Imposed That Were Collected	N/A	N/A (12)
Routine Inspections Conducted	Unknown	No (12)
Routine Inspections Targeted	Unknown	No (12)
Unannounced Inspections Permitted	Yes (6)	Yes (12)
Unannounced Inspections Conducted	Unknown	No (12)
Complaint Mechanism Exists	No (20)	No (12)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Unknown (12)

Research found that insufficient resources hamper the labor inspectorate's capacity to formally monitor and enforce child labor laws.(3, 20)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Tuvalu did not take actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown (19)	Unknown (12)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Unknown (19)	Unknown (12)
Number of Investigations	Unknown (19)	Unknown (12)
Number of Violations Found	Unknown (19)	Unknown (12)
Number of Prosecutions Initiated	Unknown (19)	Unknown (12)
Number of Convictions	Unknown (19)	Unknown (12)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (19)	Yes (12)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The National Advisory Committee on Children, chaired by the Ministry of Education, is responsible for coordinating general children's issues across government agencies and monitoring the Government's efforts to fulfill its commitments under the UN CRC.(19) Research found no evidence that the Committee functions as a coordinating mechanism to address child labor, including its worst forms.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 8).

Table 8. Key Policies Related to Child Labor[‡]

Policy	Description
Free Education Policy	Establishes free basic education for children ages 6 through 13.(15-17)

[‡] The Government has other policies which may have addressed child labor issues or had an impact on child labor.(15, 21, 22)

Research did not find evidence that the Government has integrated child labor elimination and prevention strategies into the Free Education Policy or the UNDAF for the Pacific Region.(23, 24)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 9).

Table 9. Key Social Programs to Address Child Labor

Program	Description
Decent Work Country Program	ILO-implemented program that aims to strengthen Tuvalu's labor laws, support the ratification of ILO C. 182, and improve data collection on child labor.(25, 26)
Education for All Program	Australian Government-funded program to improve access to quality education in Tuvalu. Objectives include increasing capacities in education planning and administration, teacher training, and early grade literacy.(17)
Government Vocational Training Programs [†]	Government-funded programs that provide vocational training to children who have finished compulsory primary education. These programs include the Ministry of Education's Community Post-Primary Vocational Programs, which serve children in the outer islands, and the High School Vocational Training Program at Motufoua Secondary School, which provides vocational training to students starting at year 13.(17)

[†] Program is funded by the Government of Tuvalu.

Research found no evidence of programs to specifically address child labor in the fishing sector.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Tuvalu (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify ILO C. 182 on the Worst Forms of Child Labor.	2013 – 2016
	Ensure that the law establishes the minimum age for hazardous work as 18 years old.	2009 – 2016
	Ensure that the law criminally prohibits the use, procuring, and offering of boys ages 15 through 17 for prostitution and all children for the production of pornography and for pornographic performances.	2009 – 2016
	Ensure that the law criminally prohibits the use, procuring, and offering of all children for illicit activities, including the production and trafficking of drugs.	2013 – 2016
	Ensure that the law prescribes strengthened penalties for child trafficking.	2015 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016

Table 10. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Dedicate sufficient resources for child labor law enforcement.	2009 – 2016
	Publish information on the enforcement of laws on child labor, including the number and type of labor inspections conducted and the training provided for labor inspectors and investigators.	2009 – 2016
	Authorize the labor inspectorate to assess penalties for child labor violations.	2015 – 2016
	Strengthen the inspection system by conducting unannounced inspections.	2016
	Establish a mechanism to receive child labor complaints.	2015 – 2016
Coordination	Establish coordinating mechanisms to combat child labor, including its worst forms.	2009 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into the Free Education Policy and the UNDAF for the Pacific Region.	2010 – 2016
Social Programs	Conduct research to better understand the extent and nature of child labor, including its worst forms, in Tuvalu.	2010 – 2016
	Institute programs to address child labor in the fishing sector.	2009 – 2016

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Uganda

SIGNIFICANT ADVANCEMENT

In 2016, Uganda made a significant advancement in efforts to eliminate the worst forms of child labor. The Government approved the Children (Amendment) Act, which criminalizes the use of children for commercial sexual exploitation, and launched a National Social Protection Policy that targets child laborers. The labor inspectorate conducted 220 inspections, an increase from 45 inspections in 2015. The Anti-Human Trafficking National Taskforce conducted awareness campaigns in communities vulnerable to child trafficking. In addition, the Government expanded its cash transfer program to an additional five districts to allow more children to stay in school. However, children in Uganda are engaged in the worst forms of child labor, including in the mining of gold and commercial sexual exploitation. Inadequate funding, training, and resources hamper the capacity of law enforcement agencies to conduct child labor inspections and investigations. Gaps in the legal framework persist, including contradicting laws regulating the minimum age for employment.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Uganda engage in the worst forms of child labor, including in the mining of gold and commercial sexual exploitation. (1-9) Table 1 provides key indicators on children's work and education in Uganda.

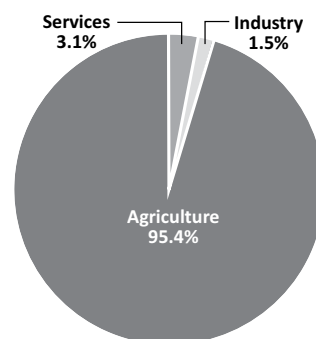
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	30.9 (3,034,126)
Attending School (%)	5 to 14	88.7
Combining Work and School (%)	7 to 14	34.4
Primary Completion Rate (%)		53.1

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(10)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Labor Force Survey, 2011–12.(11)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Cultivating and harvesting cocoa, coffee, corn, tea,† tobacco,† rice,† and sugarcane,† and acting as scarecrows in rice fields (3, 4, 7, 9, 12, 13)
	Production of vanilla and palm oil (7, 14)
	Herding cattle (3, 12, 15)
	Fishing,† including catching, smoking, and selling fish, and paddling† and loading boats† (2, 3, 7, 12, 16)
	Producing and carrying charcoal (12, 17)
Industry	Construction, including making and laying bricks (3, 7, 18)
	Quarrying stone† and mining gold, sand,† and salt (2, 3, 7, 12, 19-25)
	Manufacturing, including in steel rolling mills and carpentry workshops (12)

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Services	Domestic work (1-3, 5, 6, 26)
	Street work, including vending, † begging, † car washing, working as porters, † scavenging, † and collecting and selling scrap metal (5-7, 12, 14, 15, 17, 27, 28)
	Working in hotels, † restaurants, † bars, † and video halls† (3, 6, 7, 12, 27)
	Collecting firewood for sale (29)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (5, 6, 8, 14, 27)
	Forced labor in agriculture, bars, begging, brick making, cattle herding, mining, stone quarrying, street work, and domestic work, each sometimes as a result of human trafficking (8, 30, 31)
	Use in the production of pornography (32)
	Use in illicit activities, including smuggling, sometimes as a result of human trafficking (6, 12, 14, 33)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Children from the Karamoja region are trafficked and willingly migrate to Kampala where they engage in begging, street vending, domestic work, and commercial sexual exploitation.(5, 8, 14, 17) In some cases, Ugandan children have been trafficked to East African countries for commercial sexual exploitation and forced labor in agriculture.(8)

Although the law provides for free, compulsory education, the cost of school supplies, uniforms, and other materials often prohibits children from attending school.(2, 34-36) Furthermore, research found that children often experience physical and sexual abuse at school by teachers and classmates.(32, 36)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Uganda has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Uganda’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	16	Section 7 of the Children (Amendment) Act (37)
Minimum Age for Hazardous Work	Yes	18	Section 7 of the Children (Amendment) Act; Sections 32(4) and 32(5) of the Employment Act; Regulation 5 of the Employment (Employment of Children) Regulations (37-39)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Regulation 6 and the First Schedule of the Employment (Employment of Children) Regulations (39)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Forced Labor	Yes		Section 5 of the Employment Act; Sections 3–5 of the Prevention of Trafficking in Persons Act (38, 40)
Prohibition of Child Trafficking	Yes		Sections 3–5 of the Prevention of Trafficking in Persons Act (40)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 8 of the Children (Amendment) Act; Section 3 of the Prevention of Trafficking in Persons Act; Sections 131, 136–137, and 139 of the Penal Code; Section 14 of the Anti-Pornography Act (37, 40–42)
Prohibition of Using Children in Illicit Activities	Yes		Article 5(d) of the Prevention of Trafficking in Persons Act (40)
Minimum Age for Military Recruitment			
State Compulsory	Yes*		
State Voluntary	Yes	18	Article 52(2)(c) of the Defense Forces Act (43)
Non-state Compulsory	Yes	18	Section 5 of the Prevention of Trafficking in Persons Act (40)
Compulsory Education Age	No	13 [‡]	Section 10(3)(a) of the Education Act (34)
Free Public Education	Yes		Section 10(3)(a) of the Education Act (34)

* No conscription (43)

‡ Age calculated based on available information

In 2016, the Government approved the Children (Amendment) Act, which establishes 16 as the minimum age for work and criminalizes use of a child for commercial sexual exploitation.(37) The Government is developing implementing regulations for the Act and is reviewing the Employment Act, which sets the minimum age for work at 14.(44) The law’s minimum age protections do not apply to children working without a formal employment relationship.(38)

Children in Uganda are required to attend school only up to age 13. This standard makes children ages 13 to 15 vulnerable to child labor because they are not required to attend school but are not legally permitted to work.(34)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Gender, Labor, and Social Development (MGLSD)	Enforce labor laws throughout the country.(29) The Child Labor Unit works with partners to implement national awareness campaigns and serves as a resource to labor inspectors, including occupational safety and health inspectors.(45) The Industrial Court makes judgments on labor dispute cases, which are referred to the court by labor officers.(12)
Ministry of Internal Affairs	Enforce criminal laws on the worst forms of child labor.(46) The Uganda Police Force’s Child and Family Protection Unit (CFPU) investigates forced labor cases, the Special Investigations Division and the Anti-Human Trafficking Desk investigate cases related to human trafficking and the use of children in illicit activities, and the Sexual Offenses Desk investigates commercial sexual exploitation.(12) Liaison officers handle child labor complaints and overall child protection issues at police posts that do not have a CFPU officer.(46) The Immigration Department assists in identifying potential human trafficking victims.(47)
Ministry of Local Government	Oversee district labor officers who refer cases to the Industrial Court.(12) Deploy community development officers at the district level when district labor officers are not available.(29)
Directorate of Public Prosecutions in the Ministry of Justice and Constitutional Affairs	Prosecute criminal cases related to the worst forms of child labor that are referred by the Uganda Police Force.(45)

In 2016, the Industrial Court did not hear any child labor cases; research found that coordination among the various agencies responsible for child labor law enforcement remained an issue because labor officers are under the district

governments' authority instead of the Ministry of Gender, Labor, and Social Development (MGLSD).⁽⁴⁴⁾ The Industrial Court, however, is advocating for MGLSD to supervise district labor officers with the hope that it will increase the number of child labor case referrals.⁽¹²⁾ The Industrial Court remains limited in its ability to hear labor dispute cases due to the low number of judges.^(14, 44)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Uganda took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	\$170,000 (32)
Number of Labor Inspectors	55 (12)	53 (32)
Inspectorate Authorized to Assess Penalties	Yes (12)	Yes (32)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Yes (32)
Training on New Laws Related to Child Labor	N/A	Yes (32)
Refresher Courses Provided	Yes (12)	Yes (32)
Number of Labor Inspections	45 (48)	220 (32)
Number Conducted at Worksite	Unknown	100 (32)
Number Conducted by Desk Reviews	Unknown	120 (32)
Number of Child Labor Violations Found	Unknown	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown
Number of Penalties Imposed that Were Collected	Unknown	Unknown
Routine Inspections Conducted	Yes (12)	Yes (32)
Routine Inspections Targeted	Unknown	Unknown
Unannounced Inspections Permitted	Yes (12)	Yes (32)
Unannounced Inspections Conducted	Unknown	Yes (32)
Complaint Mechanism Exists	Yes (12)	Yes (32)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (12)	Yes (32)

The number of labor inspectors is insufficient for the size of Uganda's workforce, which includes over 19 million workers. According to the ILO's recommendation of 1 inspector for every 40,000 workers in less developed economies, Uganda should employ roughly 476 inspectors.^(32, 49-51) Enforcement of child labor laws remains challenging due to the lack of resources for inspections.⁽³²⁾

During the reporting period, inspectors carried out child labor-specific inspections on 10 infrastructure projects.⁽³²⁾ Labor inspectors refer children found during inspections to NGOs for temporary shelter and support services.⁽³²⁾ Officials withdrew 11 children from work in gold mines and stone quarries as a result of labor inspections. The children were reunited with their families.⁽³²⁾

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Uganda took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (12)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Unknown

Uganda

SIGNIFICANT ADVANCEMENT

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor (cont)

Overview of Criminal Law Enforcement	2015	2016
Refresher Courses Provided	Yes (12)	Yes (52)
Number of Investigations	76 (12)	Unknown
Number of Violations Found	66 (48)	Unknown
Number of Prosecutions Initiated	Unknown (48)	0 (32)
Number of Convictions	0 (12)	0 (32)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (12)	Yes (32)

According to the Government, there is not a sufficient number of criminal law enforcement officials responsible for investigating child labor, including its worst forms.(12) Training is insufficient, and some criminal law enforcement officials were not aware of key human trafficking laws, and some police officers did not understand the evidence needed to prosecute child labor cases.(8, 12, 33)

Research found that street children, including potential human trafficking victims, are routinely arrested and detained by police. Some of these children are held for up to 3 months at a MGLSD juvenile detention center before they are returned to their families.(6, 8) Although children received food, medical treatment, and other services, some children were required to clean the detention facilities.(8)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee on the Elimination of Child Labor	Coordinate child labor issues and implement the National Action Plan on the Elimination of the Worst Forms of Child Labor. Led by MGLSD and includes members from several ministries, trade unions, development organizations, civil society, and media agencies.(53)
Stop Child Labor Partners Forum	Coordinate, monitor, and evaluate child labor-related programs and policies in Uganda. Led by the National Council for Children (NCC), with representatives from several ministries, CFPU, and civil society groups.(53)
Coordination Office to Combat Trafficking in Persons (COCTIP)	Coordinate, monitor, and oversee implementation of the Prevention of Trafficking in Persons Act.(29)
Anti-Human Trafficking National Taskforce	Coordinate government efforts on human trafficking. Led by COCTIP, includes 30 members from government agencies and civil society.(53, 54) In 2016, the taskforce conducted awareness campaigns in communities vulnerable to child trafficking.(31)
National Child Protection Working Group	Monitor the quality of services provided to orphans and vulnerable children. Led by MGLSD, includes members from five government agencies and civil society organizations.(12)
NCC's Inter-Ministerial Coordination Mechanism	Work to ensure that member organizations integrate child labor concerns into their policies and budgets. Members include 10 government agencies.(12)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[†]

Policy	Description
National Action Plan on the Elimination of the Worst Forms of Child Labor (2012/2013–2016/2017)	Aims to reduce the worst forms of child labor in Uganda by 2017.(4) In 2016, the Government worked with the ILO to develop implementation guidelines for district labor offices. The Government also began reviewing the plan in preparation of its expiration.(44)
National Action Plan to Combat Human Trafficking	Guides the Government's efforts to combat human trafficking.(55)
National Social Protection Policy	Aims to reduce poverty and socioeconomic inequalities for inclusive development by targeting vulnerable people, including child laborers.(56)

Table 9. Key Policies Related to Child Labor[‡] (cont)

Policy	Description
National Strategy for Girls' Education in Uganda (2015–2019)	Promotes girls' education and identifies child labor, particularly domestic work, as a key barrier to girls' access to education.(57)

‡ The Government has other policies that may have addressed child labor issues or had an impact on child labor.(58-60)

Research found that implementation of the National Action Plan on the Elimination of the Worst Forms of Child Labor remains limited due to limited resources.(44)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
USDOL-Funded Projects	<u>Country-Level Engagement and Assistance to Reduce Child Labor Project (CLEAR)</u> (2013–2017), implemented by the ILO in 11 countries; and <u>African Youth Empowerment and Development Initiative (AYEDI)</u> (2013–2017), \$3 million project implemented by World Education, Inc.(61, 62) For additional information about USDOL's work, please visit our Web site .
Decent Work Country Program (2013–2017)	ILO-implemented program that outlines strategies for promoting decent work in Uganda. Priorities include youth employment and improved social protection for both formal and informal workers; also includes a focus on the prevention and elimination of the worst forms of child labor.(63)
Combating Child Labor in Tobacco Growing (2015–2018)	Eliminating Child Labor in Tobacco Growing Foundation-funded program implemented by the ILO that improves the capacity of the Government and social partners to develop and implement policies to combat child labor in agriculture.(64, 65)
Realizing Livelihood Improvement Through Savings and Education	NGO-implemented program in partnership with the Government that provides technical assistance and capacity building to the MGLSD and National Steering Committee on the Elimination of Child Labor.(32)
Uganda Social Assistance Grants for Empowerment [†]	\$49 million, donor and Government-funded project implemented by MGLSD that provides direct income support of approximately \$8 per month to poor and vulnerable households in 24 districts to allow children to stay in school.(12, 53)
Youth Venture Capital Fund [†]	Government program that aims to reduce youth unemployment through enterprise development, job creation, and business skills training.(12)

† Program is funded by the Government of Uganda.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(17, 66, 67)

Although Uganda has programs that address child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly in agriculture and commercial sexual exploitation.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Uganda (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2013 – 2016
	Harmonize provisions related to the minimum age for work in the Children (Amendment) Act and Employment Act.	2016
	Ensure that all children are protected by law, including children who do not work under a formal employment relationship.	2016
	Ensure that the law requires free, compulsory education up to age 16 so that it is commensurate with the minimum age for work.	2009 – 2016
Enforcement	Ensure coordination between MGLSD and the Ministry of Local Government so that labor dispute cases are referred to the Industrial Court. Also ensure that the Industrial Court has a sufficient number of judges.	2015 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information on the number of child labor violations found, number of penalties imposed, number of penalties collected, routine targeted inspections, as well as training for criminal law enforcement officials, the number of criminal investigations conducted, and violations found.	2013 – 2016
	Increase the number of labor inspectors to provide sufficient coverage of the workforce.	2009 – 2016
	Ensure sufficient funding, training, and resources for law enforcement agencies so that child labor inspections and investigations can be properly conducted.	2013 – 2016
	Develop mechanisms for referring street children, including potential human trafficking victims, to social services, and prevent these children from being detained by the police.	2015 – 2016
Government Policies	Ensure that sufficient resources are provided to the National Action Plan on the Elimination of the Worst Forms of Child Labor to allow adequate implementation.	2015 – 2016
Social Programs	Ensure that all children are able to attend school regardless of their ability to purchase school materials. Ensure that students are protected from physical and sexual abuse by teachers and classmates.	2012 – 2016
	Expand existing social programs to address the scope of the child labor problem, particularly in agriculture and commercial sexual exploitation.	2009 – 2016

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In 2016, Ukraine made a minimal advancement in efforts to eliminate the worst forms of child labor. Despite new initiatives to address child labor, Ukraine is receiving this assessment because it continued to implement a law that delayed advancement in eliminating the worst forms of child labor. Ukraine enacted legislation in 2014 that effectively imposed a moratorium on labor inspections. While inspections resumed during the reporting period, legislation requiring Cabinet of Ministers approval to conduct an inspection of businesses with an annual income less than \$750,000 continued to restrict enforcement of labor laws. Otherwise, the Government made efforts by enacting legislation criminally prohibiting the use of children in armed conflict and approving a new concept for a National Action Plan on child protection that includes a component on the worst forms of child labor. Children in Ukraine perform dangerous tasks in street work and engage in the worst forms of child labor, including in the production of pornography. The age of consent for sexual relationships is not clearly defined, and law enforcement officials lack training on the treatment of victims of commercial sexual exploitation, which puts child victims at risk of prosecution. In addition, national policies related to child labor lack sufficient funding for effective implementation. Ukraine's armed conflict with Russian-backed separatists in the east of the country continued, which negatively impacted the Government's ability to address the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Ukraine perform dangerous tasks in street work.(1-3) Children also engage in the worst forms of child labor, including commercial sexual exploitation in the production of pornography.(1, 2, 4, 5) Table 1 provides key indicators on children's work and education in Ukraine.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.4 (182,714)
Attending School (%)	5 to 14	96.5
Combining Work and School (%)	7 to 14	5.0
Primary Completion Rate (%)		110.4

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2012.(7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, activities unknown (1-3, 8)
Industry	Construction, activities unknown (1, 9, 10) Mining,† including loading, transporting, and sorting coal, and extracting amber (3, 11, 12)
Services	Street work, including distributing advertising leaflets, sales activities in kiosks, and begging (1-3)
Categorical Worst Forms of Child Labor‡	Use in the production of pornography (1, 2, 4, 5) Commercial sexual exploitation, sometimes as a result of human trafficking (2, 9, 10, 13, 14) Forced recruitment of children by non-state armed groups for use in armed conflict (15-20) Forced begging, sometimes as a result of human trafficking (4, 9, 10, 14, 21)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.

Ukraine

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

In 2016, Ukraine's armed conflict with Russian-backed separatists in the east of the country continued. A continued policy focus on national security, as well as budget cuts associated with the conflict, negatively impacted the Government's ability to address the worst forms of child labor.⁽³⁾ The conflict in eastern Ukraine has created more than 1.7 million internally displaced persons (IDPs), including more than 190,000 children.^(8, 22, 23) The inability of many IDP families to access adequate shelter and available social benefits puts children at increased risk of exploitation in the worst forms of child labor.⁽²⁴⁾ In particular, the Ministry of Social Policy (MSP) noted an increased vulnerability to both domestic and international human trafficking among the IDP community, and there have been reports of kidnapping of girls from conflict-affected areas for commercial sexual exploitation and labor exploitation.^(10, 20, 21) Displaced individuals from the Roma community, an estimated 10 percent of whom lack identity documentation, have experienced difficulty registering as IDPs, preventing Roma IDPs from accessing assistance and putting Roma children at an even greater risk of exploitation.⁽²⁵⁻²⁷⁾ An estimated 10,000 Roma people have been displaced by the conflict.⁽²⁸⁾

Ukraine is a destination and transit country for refugees from Afghanistan, Somalia, and Syria. Refugees lacked access to state-run children's shelters, had no formal means of acquiring food and other assistance from the Government, and experienced heightened vulnerability to child trafficking.⁽⁸⁾

During the reporting period, children continued to take part in active combat as part of Russian-backed militant groups. Recruitment of children by militant groups accelerated and took place primarily on territory not under the control of the central Government and in areas where the Government was unable to enforce national prohibitions against the use of children in armed conflict.^(3, 20) Russian-backed militants employed children as soldiers, informants, and human shields during the reporting period.^(3, 20)




Children from Ukraine are trafficked both transnationally and domestically for commercial sexual exploitation and forced begging.^(14, 21) Homeless, orphaned, and poor children, especially those living in state-run institutions, are at high risk of being trafficked and are targeted by recruiters for child pornography.^(2, 8, 13, 14)

Although Ukraine's Constitution and Law on General Secondary Education guarantee free universal education, due to discrimination by school administrators, Roma children are sometimes denied access to education, placed in segregated schools exclusively for Roma children, or erroneously placed in special education schools^(8, 29, 30) A source reported that the municipal governments in Ukraine were ineffective in compelling school administrators to enroll Roma children who had been unfairly denied access to school.⁽²⁷⁾

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Ukraine has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Ukraine's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Article 188 of the Labor Code; Article 150 of the Criminal Code; Article 21 of the Law on the Protection of Childhood (31-33)
Minimum Age for Hazardous Work	Yes	18	Article 190 of the Labor Code; Article 21 of the Law on the Protection of Childhood (32, 33)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Order No. 46 on the approval of the list of heavy work and work with dangerous and harmful working conditions, in which the employment of minors is prohibited; Article 150-1 of the Criminal Code (31, 34)
Prohibition of Forced Labor	Yes		Article 43 of the Constitution of Ukraine; Article 1 of the Law on Employment; Articles 149, 172, and 173 of the Criminal Code (31, 35, 36)
Prohibition of Child Trafficking	Yes		Article 149 of the Criminal Code; Article 32 of the Law on the Protection of Childhood (31, 33)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 301–303 of the Criminal Code; Articles 10 and 21 of the Law on the Protection of Childhood; the Law on Amendments to Certain Legislative Acts of Ukraine on Combating the Distribution of Child Pornography; Articles 1, 6, and 7 of the Law on the Protection of Public Morality (31, 33, 37, 38)
Prohibition of Using Children in Illicit Activities	Yes		Articles 304 and 307 of the Criminal Code; Articles 10 and 21 of the Law on the Protection of Childhood (31, 33)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Article 15 of the Law on Military Duty and Military Service; Decree No. 447 On Measures to Improve the Defense Capabilities of the State (39, 40)
State Voluntary	Yes	17	Articles 15 and 20 of the Law on Military Duty and Military Service (40)
Non-state Compulsory	Yes	18	Article 30 of the Law on the Protection of Childhood (33)
Compulsory Education Age	Yes	17 [‡]	Articles 12 and 20 of the Law on General Secondary Education (41)
Free Public Education	Yes		Article 53 of the Constitution of Ukraine; Article 2 of the Law on General Secondary Education (35, 41)

[‡] Age calculated based on available information (41)

In 2016, the Government amended the Law on the Protection of Childhood to criminally prohibit the use of children in hostilities and armed conflict, as well as to codify the central and local governments' responsibilities to protect and provide services to children affected by war and armed conflict.(3, 33)

Research found that children in vocational training programs for hazardous occupations are permitted to perform hazardous work for less than 4 hours a day, beginning at age 14, as long as occupational health and safety standards are met, although the international minimum age for entering hazardous vocational training is 16.(1, 42)

Although the Criminal Code prohibits commercial exploitation of children, it does not specifically define an age of consent for sexual relations, which has contributed to the prosecution of children ages 16 and 17 for the crime of prostitution.(1)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
State Labor Service (SLS) within the Ministry of Social Policy (MSP)	Enforce labor laws, including laws on child labor, by conducting inspections.(15)
Department on Adoption and Children's Rights Protection within the MSP	Identify children involved in the worst forms of child labor, most of whom are in the informal sector.(1, 9)
National Police	Enforce criminal laws against the worst forms of child labor, including child trafficking.(15)
State Migration Service	Assist refugees and migrants in need in the country, including victims of human trafficking.(1, 43)
State Border Guards Services	Protect the country's borders and identify cases of human trafficking.(43)
Office of the Ombudsman for Children's Rights	Monitor protection of the rights of children and fulfillment of international obligations to protect children's rights, including preventing child labor. Coordinate the development of laws on child protection.(44) Inform the public of children's rights.(44)
National Referral Mechanism (NRM)	Identify victims of human trafficking, including children, and refer victims to appropriate government agencies for assistance and the provision of services. Led by the MSP.(10)

As part of a long-term program of criminal law enforcement reform, the Government established a new police force in July 2015.(45) The new police force was subject to continued reform in 2016.(15)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Ukraine took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	320 (15)	510 (3)
Inspectorate Authorized to Assess Penalties	Yes (3)	Yes (3)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (15)	Yes (3)
Training on New Laws Related to Child Labor	N/A	Yes (3)
Refresher Courses Provided	No (15)	Unknown
Number of Labor Inspections	22 (15)	4400 (3)
Number Conducted at Worksite	22 (15)	4400 (3)
Number Conducted by Desk Reviews	0 (15)	0 (3)
Number of Child Labor Violations Found	2 (15)	158 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (15)	177 (3)
Number of Penalties Imposed that Were Collected	N/A	158 (3)
Routine Inspections Conducted	Yes (15)	Yes (3)
Routine Inspections Targeted	No (15)	Yes (3)
Unannounced Inspections Permitted	No (15)	Yes (3)
Unannounced Inspections Conducted	No (15)	No (3)
Complaint Mechanism Exists	Yes (15)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (15)	Yes (3)

Although the budget for the State Labor Service (SLS) is unknown, a source reported that funding levels were inadequate. As in 2015, due to inadequate funding, some inspectors worked as little as 1 week per month during the reporting period, and insufficient funding for supplies, such as vehicles and fuel, negatively impacted the quality of inspections.(3) In 2016, the Government authorized an increase in the number of labor inspectors employed. However, of the 747 positions authorized, only 510 inspectors were employed in 2016.(3) The SLS reported that an insufficient number of labor inspectors hampered the SLS's capacity to enforce child labor laws.(3) According to the ILO's recommendation of 1 inspector for every 20,000 workers in transitioning economies, Ukraine should employ roughly 902 labor inspectors.(46-48)

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In addition, although regulations require that new labor inspectors receive an initial training, training for new inspectors has not been conducted since 2012.(3)

During the reporting period, the SLS was no longer required to request approval from the Cabinet of Ministers before conducting any inspection not connected to a criminal investigation, as it was in the first half of 2015.(15, 49, 50) However, legislation continued to require that the SLS seek approval from the Cabinet of Ministers to conduct an inspection of any business with an annual income of less than \$750,000 throughout the reporting period. The Government estimates that about 80 percent of businesses are covered under this provision, which remained in force through the end of 2016.(50, 51)

The SLS reported that fines established for labor infractions, which range from \$35 to \$115, remain too low to serve as effective deterrents.(1, 3, 15, 52)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Ukraine took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (15)	Unknown (3)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (15)	Unknown (3)
Refresher Courses Provided	Yes (15)	Yes (3)
Number of Investigations	Unknown (15)	Unknown (3)
Number of Violations Found	Unknown (15)	Unknown (3)
Number of Prosecutions Initiated	Unknown (21)	Unknown (3)
Number of Convictions	Unknown (21)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (3)

During the reporting period, the IOM supported training for 611 police officers and social workers on combating child trafficking and victim referral. An additional 77 prosecutors and judges also received training on victim identification and interagency cooperation in combating human trafficking.(3)

In 2016, criminal law enforcement authorities prosecuted three criminal cases of child trafficking and three cases of engaging children in prostitution. During 2016, law enforcement agencies prosecuted 13 criminal cases on forced begging, achieving 9 convictions.(3) However, the Government also prosecuted 18 children as offenders for involvement in prostitution.(3) Concerns have also been raised that the training of judges is not adequately sensitive to the situation of child trafficking victims who may have been used to commit crimes while being trafficked.(1) Data on child trafficking and other crimes related to labor exploitation of children are not disaggregated from overall law enforcement statistics; therefore, full data on the number of investigations, prosecutions, and convictions were unavailable.(13)

Children who are discovered to be in dangerous situations during the course of criminal investigations are referred to the MSP system of Shelters and Centers for Socio-Psychological Rehabilitation of Children.(1)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

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Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Ministry of Social Policy (MSP)	Lead the Government's efforts to combat child labor and human trafficking, including by drafting legislation and government regulations on these issues.(1, 13)
Interagency Council on Family, Gender Equality, Demographic Development, Prevention of Violence in the Family, and Counter-Trafficking Issues	Coordinate efforts to address the worst forms of child labor, including the trafficking of children. Chaired by the MSP. Members include representatives from the Ministries of Justice, Education, Security, Health, and Foreign Affairs; and from international and local NGOs.(1, 53)
Interagency Working Group to Protect the Rights of Civilians, Including Women and Children, During the Anti-Terrorist Operation in the Eastern Regions of Ukraine	Protect Internally Displaced Persons (IDPs) and other civilians from the negative consequences of the ongoing military operations in Ukraine, including the increased rates of domestic and transnational human trafficking. Established by the MSP, members include representatives from the Secretariat of the Verkhovna Rada Commissioner for Human Rights, the Authorized Representative of the President of Ukraine for Children's Rights, and other government agencies and NGOs.(24)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan (NAP) to Implement the UN CRC (2010–2016)	Aims to protect children, including from labor exploitation, through raising awareness, rehabilitating victims found in the worst forms of child labor, providing access to education, and creating a child labor monitoring system.(1, 43, 54) In 2016, the Government adopted an Action Plan for 2016 to operationalize this plan, which devolved responsibility for child labor inspections to local authorities.(3)
State Program for Countering Human Trafficking (2016–2020)	Guides the work of the National Coordinator on Combating Human Trafficking and contains specific actions and timetables for preventing, protecting, and prosecuting human trafficking crimes.(21)
USAID Country Development Cooperation Strategy (2012–2016)	Aims to support the development of democratic practices, economic growth and development, and increased integration into European structures. Includes a special objective on countering trafficking in persons that involves piloting an NRM for victims of human trafficking and improving methods for rehabilitation and reintegration of victims, including children.(55)

A lack of sufficient funding hampers the ability of ministries to implement actions called for under the National Action Plan (NAP) to Implement the UN Convention on the Rights of the Child and the State Program for Countering Human Trafficking.(1, 10) Research found that, although the Action Plan for 2016 required local governments to enforce child labor laws, the Government did not provide local governments with sufficient staff, personnel, or operational authority to conduct satisfactory child labor inspections.(3)

In 2016, the Government developed a concept for a new NAP to Implement the UN CRC for 2017–2020, because the previous iteration of this policy expired at the end of the reporting period. The concept justifies the need for a new NAP and identifies priorities in the area of child protection, including improving measures to combat the worst forms of child labor and increasing coordination between government agencies and NGOs.(3, 56, 57)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Global Action Program on Child Labor Issues Project	USDOL-funded project that aims to improve the evidence base on child labor and forced labor through data collection and research in Ukraine.(58) Additional information is available on the USDOL Web site .

Table 10. Key Social Programs to Address Child Labor (cont)

Program	Description
Shelters and Centers for Socio-Psychological Rehabilitation of Children†	MSP-operated program to provide protection in 10 short-term shelters and 76 long-term rehabilitation centers for children in need, including street children. Short-term shelters provide accommodation for up to 90 days, and rehabilitation centers offer accommodation for up to 12 months.(1, 10, 13, 21, 24) The rehabilitation centers also provide regular social, medical, psychological, and other types of services for non-residents.(10, 21) In 2016, shelters and centers provided services to 5,762 children.(20)
Centers for Social Services for Family, Youth, and Children†	Government-run program to provide services for victims of human trafficking, among other populations in need. In 2016, the number of shelters available to assess victims’ needs and draft rehabilitation plans increased from 656 to 692.(1, 21)
Multiplication of the Anti-Trafficking National Referral Mechanism in Ukraine†	Joint program by the MSP and the OSCE to train officials in several regions of Ukraine to identify and provide services to trafficking victims. Involves collaborative work among local agencies and non-governmental partners.(13) During the reporting period, the Government took steps to build the capacity of the NRM, including training more than 1,000 local officials.(3)
Countering Trafficking in Persons Project (2004–2018)	USAID-funded project implemented by the IOM; aims to reduce trafficking in persons by building the capacity of Ukrainian institutions to address the problem by strengthening the NRM and increasing government funding for counter-trafficking efforts.(59) Through the NRM, the Government granted victim status to 110 individuals during the reporting period.(20)
UNICEF Country Program (2012–2016)	Aims to decrease social exclusion and disparities affecting children and ensure that socially excluded children benefit from quality health care and social services.(60)

† Program is funded by the Government of Ukraine.

Ukraine has a variety of service providers for victims of human trafficking; however, the MSP must confer the official status of “victim of trafficking” on child trafficking victims in order for them to access available government services.(10, 13, 21) Research found that delays in this practice often result from the insufficient provision of documentation to the MSP by local administrations.(10, 13, 21)

Although the MSP provides services for children in shelters and social-psychological rehabilitation centers, the current availability of shelters and trained personnel is insufficient to fully address the extent of the child labor problem.(61) The Centers for Social Services for Family, Youth, and Children have historically experienced a large turnover of staff due to an excessive workload and low pay.(62) In addition, the centers remain understaffed after budget cuts enacted in 2014 resulted in the layoff of 12,000 social workers.(63) This continued to restrict the centers in their ability to efficiently address the main needs of human trafficking victims in 2016. Likewise, high turnover in the regions, where local agencies are responsible for identifying trafficking victims under the NRM, has hampered the provision of services to victims.(13)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Ukraine (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws prohibit all children under age 16 from working in hazardous occupations during vocational training.	2011 – 2016
	Ensure that laws treat children ages 16 and 17 as victims of commercial sexual exploitation rather than as offenders.	2012 – 2016
Enforcement	Increase the budget of the SLS, in order to increase the number of inspectors, and make information on the budget publicly available.	2011 – 2016
	Provide labor inspectors with appropriate training, including by conducting required initial trainings and institutionalizing periodic refresher training for all inspectors, and provide them with the resources required to carry out inspections, such as adequate transportation and fuel.	2011 – 2016
	Address legal provisions that have created obstacles to conducting labor inspections, and ensure that inspectors have sufficient ability to conduct both complaint-based and targeted inspections of all businesses, including unannounced inspections.	2014 – 2016

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Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that fines imposed for violations of child labor laws are sufficient to effectively deter employers from violating child labor laws.	2013 – 2016
	Ensure that judges treat children who are victims of commercial sexual exploitation and other worst forms of child labor as victims and not as offenders.	2013 – 2016
	Track and make data on the number of investigations, prosecutions, convictions, and implemented penalties related to violations of all criminal laws on the worst forms of child labor publicly available.	2014 – 2016
Government Policies	Provide sufficient funds to implement the National Program for Combating Trafficking and the NAP, including implementing the mandated child labor monitoring system.	2010 – 2016
	Ensure that all IDPs are aware of the resources available to them and that internally displaced and refugee children are able to access adequate shelter and receive available social benefits, regardless of their ethnicity.	2014 – 2016
Social Programs	Develop programs to facilitate access to education for Roma children and ensure that municipal governments are effective in holding schools accountable for discrimination against Roma children.	2010 – 2016
	Ensure that all children who are victims of human trafficking are able to access government services available for victims. Ensure that all reasonable efforts are made to obtain needed documentation when considering whether to grant trafficking victim status to children.	2013 – 2016
	Increase the number of shelters and socio-psychological rehabilitation centers for children and the number of trained personnel staffing these shelters, in order to fully meet the demand for their services. Provide sufficient funding to return the number of social workers to the level prior to budget cuts.	2013 – 2016
	Take steps to reduce turnover in the Centers for Social Services for Family, Youth, and Children and in local agencies that are part of the National Referral Mechanism to ensure that victims of human trafficking are provided with the services they require.	2012 – 2016

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In 2016, Uruguay made a minimal advancement in efforts to eliminate the worst forms of child labor. The Committee to Prevent and Fight Trafficking in Persons presented a draft of a comprehensive anti-trafficking law to the Parliament and began updating the hazardous work list for children. However, children in Uruguay also engage in the worst forms of child labor, including in garbage scavenging and recycling, as well as commercial sexual exploitation, sometimes as a result of human trafficking. The Government does not collect or publish comprehensive labor and criminal law enforcement statistics or implement sufficient programs to prevent and eliminate the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Uruguay engage in the worst forms of child labor, including in garbage scavenging and recycling, and commercial sexual exploitation, sometimes as a result of human trafficking.(1-14) Table 1 provides key indicators on children's work and education in Uruguay.

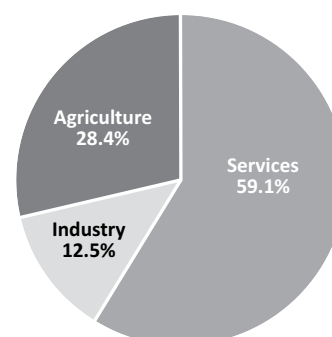
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	6.1(31,955)
Attending School (%)	5 to 14	97.8
Combining Work and School (%)	7 to 14	6.5
Primary Completion Rate (%)		103.3

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(15)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta Nacional de Trabajo Infantil (MTI), 2009.(16)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Livestock raising,† activities unknown (1, 11, 17)
	Fishing,† activities unknown (1, 17)
Industry	Construction work† in buildings and roads (1, 4, 5, 9, 11, 12, 17, 18)
	Manufacturing,† activities unknown (1)
Services	Street work,† including begging† and street vending† (2-4, 11, 12, 17, 19-22)
	Garbage scavenging† and recycling† (11, 12, 17, 19, 23)
	Domestic work† (1-4, 7, 17)
Categorical Worst Forms of Child Labor‡	Forced domestic work (2)
	Use in the production of pornography (9, 12)
	Commercial sexual exploitation, sometimes as a result of human trafficking (6-8, 10, 12, 20)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.

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In Uruguay, more than 60 percent of employed children ages 15–17 are engaged in hazardous work.(24) Children from rural areas and of Afro descent are more likely to be engaged in work, particularly hazardous work.(1, 25, 26) These children are also subjected to discrimination in the education system and have high secondary school dropout rates.(17, 26).




Child labor is also found in recycling and garbage sorting and scavenging. Approximately 20,000 children work with their parents in recycling activities derived from collecting and sorting garbage.(19, 27) Some of these children were found to be living in unsanitary and unhealthy conditions—with more than 70 percent of them living in chronic poverty.(5, 19)

Children in Uruguay are also victims of commercial sexual exploitation, especially in tourist areas and near the borders with Argentina and Brazil.(2-4, 6) In 2016, the National Committee for the Eradication of Sexual Exploitation of Children and Adolescents (CONAPEES) reported an average of almost 300 cases of commercial sexual exploitation per year.(13) Children in Uruguay are also used to transport drugs.(13, 28)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Uruguay has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Uruguay's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 162 of the Code for Children and Adolescents; Article 7 of the Youth Employment Law (29, 30)
Minimum Age for Hazardous Work	Yes	18	Article 163 of the Code for Children and Adolescents; Article 93 of Decree No. 321/009; Article 7 of the Youth Employment Law (29-31)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section A, Articles 1–7 of Resolution 1012/006 (32)
Prohibition of Forced Labor	No		Article 15 of the Code for Children and Adolescents; Articles 7 and 53 of the Constitution; Articles 78 and 81 of the Migration Law (29, 33)
Prohibition of Child Trafficking	Yes		Articles 78–81 of the Migration Law; Article 6 of the Commercial or Non-Commercial Sexual Violence Committed Against Children Law (33, 34)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 78 and 81 of the Migration Law; Articles 1, 4–6 of the Commercial or Non-Commercial Sexual Violence Committed Against Children Law; Decree 398/013 on Commercial Sexual Exploitation of Children in Tourism (33-35)
Prohibition of Using Children in Illicit Activities	Yes		Article 59 of the Narcotics Law (36, 37)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Compulsory Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 4 of the Military Training Law (38)
Non-state Compulsory	No		
Compulsory Education Age	Yes	17 [‡]	Article 7 of the General Education Law (11, 39-41)
Free Public Education	Yes		Article 71 of the Constitution; Articles 15–16 of the General Education Law (39, 42)

* No conscription (43)

[‡] Age calculated based on available information (11, 39-41)

Education is compulsory in Uruguay from ages 4 to 17, if the student does not fall behind.(11, 39, 41) Although the Institute for Adolescents and Children (INAU) may grant permission to children ages 13 to 15 to engage in light work, neither the occupations that constitute light work, nor the hours and conditions in which this work can be undertaken, have been defined by Uruguayan law.(23, 29) Uruguayan law prohibits children under age 18 from engaging in hazardous work—including agricultural work—but only establishes penalties for employer violations related to underage hazardous work in the agricultural sector.(29, 31, 32)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MTSS)	Monitor the overall enforcement of labor laws and compliance with labor regulations, and issue penalties for violations. Responsible for the legal protection of workers, including identifying locations and conditions in which child labor may occur.(5, 19, 46-48). Refers child labor cases to the Institute for Adolescents and Children (INAU) for follow-up.(13)
Institute for Adolescents and Children (INAU)	Lead government efforts to assist children, including those employed in the informal sector.(2, 49) Enforce and implement policies to prevent child labor and provide training on child labor issues.(48) Evaluate permit requests and grant work permits. Support child welfare and protection, and coordinate services for children found in child labor.(5, 19, 48, 50) Work with the MTSS and the National Insurance Bank to investigate child labor complaints, and with the Ministry of the Interior (MOI) to prosecute cases when legal violations are found.(51)
MOI	Investigate all organized crimes, including child trafficking, commercial sexual exploitation of children, and the use of children in narcotics operations. Gather evidence for a judge to make a ruling.(3, 51, 52)
Specialized Court for Organized Crime	Mandate police investigations for cases related to organized crime. Operated by two judges in Montevideo and two public prosecutors.(3, 52-55)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Uruguay took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	150 (11)	120 (13)
Number of Child Labor Dedicated Inspectors	7 (11)	9 (13)
Inspectorate Authorized to Assess Penalties	Yes (11)	Yes (13)

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Unknown* (13)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Unknown	Unknown* (13)
Number of Labor Inspections	17,102 (56)	16,155 (57)
Number Conducted at Worksite	Unknown	Unknown* (13)
Number Conducted by Desk Reviews	Unknown	Unknown* (13)
Number of Child Labor Violations Found	Unknown* (11)	Unknown* (13)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown* (11)	Unknown* (13)
Number of Penalties Imposed that Were Collected	Unknown* (11)	Unknown* (13)
Routine Inspections Conducted	Yes (11)	Yes (13)
Routine Inspections Targeted	Yes (11)	Yes (13)
Unannounced Inspections Permitted	Yes (11)	Yes (13)
Unannounced Inspections Conducted	Yes (11)	Yes (13)
Complaint Mechanism Exists	Yes (11)	Yes (13)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (13)

* The Government does not publish this information.

The Government does not report on number of inspectors receiving training.(13) In addition, the Government does not collect annual statistics related to the number of child labor violations, penalties, investigations, prosecutions, or convictions due to their low incidence.(11) The Ministry of Labor and Social Security classifies hotline complaints under child labor only if the phrase child labor is specifically mentioned, which may result in underreporting of child labor cases.(3)

The number of inspections conducted is high compared to the number of inspectors on staff, which may compromise the quality of inspections. In addition, INAU conducts the majority of its inspections in Montevideo, the capital, despite evidence indicating that most child labor occurs in rural areas.(3, 11, 19, 58)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Uruguay took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown* (13)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (59)	Yes (13, 57)
Number of Investigations	Unknown* (11)	Unknown* (13)
Number of Violations Found	Unknown* (11)	Unknown* (13)
Number of Prosecutions Initiated	16 (59)	Unknown* (13)
Number of Convictions	Unknown* (11)	Unknown* (13)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (13)

* The Government does not publish this information.

The police force has 600 officers trained in human trafficking and sexual crimes, with 30 additional officers being hired to fight organized crime with Interpol.(60) In 2016, INAU assisted in 333 cases in commercial sexual exploitation of children and adolescents.(45) However, cases of commercial sexual exploitation of children are not investigated and prosecuted effectively in Uruguay.(17) The Government recognized its shortcomings in gathering data to understand the problem and its trends.(45)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Committee for the Eradication of Child Labor (CETI)	Coordinate efforts between law enforcement bureaus and NGOs to develop a plan of action for child laborers and their families.(49) Led by the MTSS and INAU, chaired by the Inspector General, and coordinated by the Sub-Inspector General of the MTSS. Composed of government agencies, industry representatives, labor groups, and NGOs.(2, 19, 61, 62)
National Committee for the Eradication of Sexual Exploitation of Children and Adolescents (CONAPEES)	Implement actions to combat the sexual exploitation of children and adolescents.(2, 3) Develop public policies and a national plan of action on the commercial sexual exploitation of children and adolescents. Led by INAU; composed of representatives from several government agencies, NGOs, and UNICEF.(61) In 2016, CONAPEES provided assistance in 285 cases of commercial exploitation of children.(22)
Interagency Committee to Prevent and Fight Human Trafficking	Coordinate Uruguay's anti-human trafficking efforts. Chaired by the Ministry of Social Development (MIDES).(2, 3, 59) In 2016, the Committee met at least monthly to develop and submit the anti-trafficking bill and continued work on creating a National Action Plan to be finalized in 2017.(45)
Inter-institutional Commission to Foster Adolescent Employment	Support youth education, professional development, and insertion in the labor market; foster entrepreneurship in adolescents by providing training, access to capital, and technical assistance; and gather specific data on how the labor market affects youth.(63)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[†]

Policy	Description
Integrated System of Protection of Childhood and Adolescence Against Violence (SIPIAV)	Established in 2007; coordinated by INAU, MIDES, the Administration of Health Services of the State (ASSSE), the National Administration of Public Education (ANEP), and civil society; addresses violence directed to children and adolescents.(64) In 2016, SIPIAV produced an Action Plan (2016–2019) that aims to improve inter-institutional capacity and deepen SIPIAV's impact in protecting children and adolescents from violence.(64, 65)
National Action Plan to End Child Labor in Garbage Scavenging	Seeks to combat child labor in garbage dumps through specific projects that involve education, health care, housing, and law enforcement agencies. Launched by CETI and implemented by government agencies, including the MTSS and MIDES.(5, 19)
CONAPEES National Plan for the Eradication of Commercial and Non-Commercial Child and Adolescent Exploitation II (2016–2021) [†]	Works to eliminate the commercial sexual exploitation of children. Focuses on strengthening victims' rights, improving protection measures, keeping children in school, reintegrating children who had previously left school, and developing alternative income strategies for families.(2, 3) In 2016, CONAPEES registered 285 cases of sexual exploitation in children and adolescents.(66)
Presidential Decree: Commercial Sexual Exploitation of Children and Adolescents	Requires tourism operators to raise awareness, take preventive actions, and report incidents of commercial sexual exploitation of children to the Ministry of Tourism and CONAPEES.(35, 67)
Integrated Work Plan for the Brazil-Uruguay Border (2016) [†]	Launched in 2016 to promote cooperation between Uruguay and Brazil; establish a bi-national commission for the prevention and eradication of child labor; organize joint intervention plans; and plan and implement a program to raise awareness, distribute information, and improve training on child labor.(68)

[†] Policy was approved during the reporting period.

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(69)

The Government has not included child labor elimination and prevention strategies in the National Strategy for Childhood and Adolescence. Research was unable to determine whether activities were undertaken by the Government in 2016 to implement the Integrated System of Protection of Childhood and Adolescence Against Violence, the CONAPEES National Plan for the Eradication of Commercial and Non-Commercial Child and Adolescent Exploitation II, and the Presidential Decree: Commercial Sexual Exploitation of Children and Adolescents.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
Pro-Child (<i>Pro-Niño</i>) [†]	Program implemented by the Telefónica Foundation focused on prevention and eradication of child labor. Established in 2000; has more than 10,000 active youth participants nationwide.(2, 70)
MIDES Youth Affairs Bureau Programs [†]	MIDES Youth Affairs Bureau implements three programs intended to help eliminate the worst forms of child labor: (1) Participation, Citizenship, and Culture; (2) Education and Educational Integration; and (3) Training and Work.(23)
National Plan of Equality [†]	Institute for Social Security program that mandates that project participants ensure that their children attend school and receive medical services. Established the Family Allocations Program, a conditional cash transfer program to reduce national poverty levels and assist working families and families in need.(71-73)
I Study and Work (<i>Yo Estudio y Trabajo</i>)* [†]	Government program that offers students between ages 16 and 20 their first formal work experience.(74) In the ages 15 to 18 range, the program serves 600 children.(75)
Uruguay, a Country of Good Treatment Campaign (<i>Uruguay, País de Buentrato</i>) [†]	Led by the NGO Claves and the Ministry of Tourism and Recreation, and involves CONAPEES, INAU, the Canada Fund for Local Initiatives, and the Department of Maldonado, this campaign seeks to raise public awareness of child sexual exploitation by creating a “network of protection” for children and adolescents in Uruguay.(76)

* Program was launched during the reporting period.

† Program is funded by the Government of Uruguay.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(77)

The Government is currently developing a project that will update the hazardous work list by 2017.(57) The Government has also continued to fund social programs to eliminate poverty and increase social inclusion to eliminate child labor, but the scope of these programs is insufficient to fully address the extent of the problem.(23) Although the Government has adopted plans to address child labor in garbage scavenging, agriculture, and commercial sexual exploitation, there is no evidence of existing or planned social programs to assist working children in these or other sectors, including programs and services to assist child victims of commercial sexual exploitation.(10, 19, 23) Research was unable to determine whether activities were undertaken by the Government in 2016 to implement Pro-Child, MIDES Youth Affairs Bureau Programs; National Plan of Equity; I Study and Work; and Uruguay, a Country of Good Treatment.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Uruguay (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the laws governing light work identify the activities that children between ages 13 and 15 can undertake, and regulate the hours and conditions permissible for light work to ensure that children are not exposed to hazardous labor.	2012 – 2016
	Ensure that there are legal penalties in all sectors for employers who hire children to perform underage hazardous work.	2010 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 into non-state armed groups.	2016
Enforcement	Publish information on the labor inspectorate’s funding, the training system for labor inspectors, the number of labor inspections conducted at worksites and by desk review, and the number of child labor violations found and for which penalties were imposed and collected.	2015 – 2016
	Institute systematic recordkeeping of child labor cases.	2009 – 2016
	Provide MTSS hotline operators with more comprehensive guidelines to allow proper classification of calls regarding child labor.	2011 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Increase the number of inspections in rural areas where child labor violations are likely to occur.	2011 – 2016
	Publish information on the training system for criminal investigators as well as the number of investigations, violations, prosecutions, and convictions related to the worst forms of child labor.	2013 – 2016
	Strengthen government capacity to identify, investigate, and prosecute cases of commercial sexual exploitation of children, including developing and operationalizing a data collection system to maintain official nationwide statistics.	2015 – 2016
Government Policies	Integrate child labor prevention and elimination strategies in the National Strategy for Childhood and Adolescence.	2014 – 2016
Social Programs	Conduct research on children working with livestock, in fishing, and in manufacturing to determine the nature of activities and to inform policies and programs.	2013 – 2016
	Implement programs to eliminate discrimination in the education system and promote secondary school completion for children from rural areas and children of Afro descent.	2015 – 2016
	Implement programs to assist child laborers, including those engaged in agricultural work, garbage scavenging, and commercial sexual exploitation.	2010 – 2016

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In 2016, Uzbekistan made efforts to eliminate the worst forms of child labor, but was also complicit in the use of forced child labor. The Government expanded the monitoring activities of both the ILO-led Third Party Monitoring and its own Coordination Council-led monitoring. The Government also took steps to improve the Feedback Mechanism for reporting labor violations in the cotton harvest and investigated complaints of forced child and adult labor received through this mechanism. However, Uzbekistan is receiving an assessment of no advancement because there were reports that some local officials mobilized children to pick cotton in the region of Kashkadarya and the Republic of Karakalpakstan. There



was no evidence of centrally-coordinated forced mobilization of children. However, the Government maintained policies in the cotton sector that mandate regional harvest quotas and set crop prices at levels that create incentives for local administrators to forcibly mobilize labor, creating an ongoing risk of forced child labor. Public confidence in the Feedback Mechanism remained low, and some users reported retaliation for complaints, indicating flaws in the system for receiving and processing forced child labor complaints. Members of civil society who attempted to conduct independent monitoring of child labor in the cotton harvest reported experiencing harassment by the local government authorities. A Presidential Decree was issued in October 2016 prohibiting unannounced inspections in private businesses, including labor inspections. In addition to continued reports of the worst forms of child labor, including forced child labor in the cotton harvest, a limited number of reports indicate that children perform dangerous tasks in cultivating silk cocoons. Overall, gaps in law enforcement and insufficient coordination with provincial officials impede Uzbekistan's ability to fully address the child labor problem.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Some children in Uzbekistan engage in the worst forms of child labor in harvesting cotton.(1-23) Although there is an overall lack of current data on child labor in Uzbekistan, a limited number of reports indicate that children also perform dangerous tasks in cultivating silk cocoons.(4, 24-26). Table 1 provides key indicators on children's work and education in Uzbekistan.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.3 (244,095)
Attending School (%)	5 to 14	84.1
Combining Work and School (%)	7 to 14	5.0
Primary Completion Rate (%)		98.9

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2015.(27)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 3, 2006.(28)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Cultivating and harvesting cotton [†] (1-23)
	Cultivating silk cocoons (4, 24-26)
Services	Street vending and street begging (18, 29, 30)
	Collecting scrap metal (20, 31-34)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (19, 35)
	Forced labor in cultivating and harvesting cotton (3-5, 9, 10, 12-20, 36-42)
	Forced labor in collecting scrap metal (20, 31-34, 43, 44)
	Forced labor in cultivation of silk cocoons (4, 24-26)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

The ILO-led Third Party Monitoring (TPM) exercise and the Government-led monitoring found no evidence of forced child labor in the cotton harvest.(45, 46) However, independent observers of the harvest in 2016 reported incidents of children forcibly mobilized to pick cotton.(23) In addition, the TPM noted that staff of educational institutions, as well as students from lyceums, colleges, and universities, were at high risk of mobilization for forced labor in the cotton harvest.(45)




While there was no evidence of a centrally-coordinated forced mobilization of children, observers reported witnessing more cases of children forcibly mobilized by their schools in 2016 compared to the previous year.(23) Organized local mobilization of rural schoolchildren by school officials was also reported in several districts of Kashkadarya and Karakalpakstan.(23) In addition, an unknown number of 17-year-old students were included in class-wide mobilizations of third-course college and lyceum students, who tend to be 18 years old, but can also include some 17-year-olds.(23, 47) Further, the mobilization of teachers interrupted class schedules and created larger class sizes, negatively impacting the quality of education and leaving children whose school attendance was interrupted more vulnerable to participation in the cotton harvest.(23, 47) The Uzbek-German Forum continued to report harassment by local officials of human rights activists and foreign journalists attempting to monitor the cotton harvest in 2016.(23, 48)

Limited evidence suggests that government-imposed quotas also contribute to forced child labor in the cultivation of silk cocoons and the collection of scrap metal.(4, 24-26, 31-34, 43, 44)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Uzbekistan has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Uzbekistan’s legal framework to adequately protect children from child labor.

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Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Article 77 of the Labor Code; Article 20 of the Law on the Guarantees of the Rights of the Child; Article 49-1 of the Administrative Code (49-52)
Minimum Age for Hazardous Work	Yes	18	Articles 241 and 245 of the Labor Code (51)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Decree on Adoption of the List of Occupations with Unfavorable Working Conditions to Which It Is Forbidden to Employ Persons Under Eighteen Years of Age; Decree on Approval of Provision on Requirements on Prohibition of Use of Minors' Labor (53, 54)
Prohibition of Forced Labor	Yes		Article 37 of the Constitution; Article 7 of the Labor Code; Article 51 of the Administrative Code; Articles 135 and 138 of the Criminal Code (50-52, 55-58)
Prohibition of Child Trafficking	Yes		Article 14 of the Law on Guarantees of the Rights of the Child; Article 135 of the Criminal Code (50, 58)
Prohibition of Commercial Sexual Exploitation of Children	No		Article 10 of the Law on Guarantees of the Rights of the Child; Articles 130 and 135 of the Criminal Code (50, 58)
Prohibition of Using Children in Illicit Activities	Yes		Article 10 of the Law on Guarantees of the Rights of the Child; Articles 127, 270, 273, and 276 of the Criminal Code (50, 58)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Articles 4 and 46 of the Law on Universal Military Service (59, 60)
State Voluntary	Yes	18	Article 24 of the Law on Universal Military Service (60)
Non-state Compulsory	No		
Compulsory Education Age	Yes	18 [‡]	Article 3 of the Law on Education (61)
Free Public Education	Yes		Article 4 of the Law on Education; Article 41 of the Constitution (55, 61)

[‡] Age calculated based on available information(61)

During the reporting period, there were some changes to the legal framework. In September 2016, Uzbekistan amended the Law on Labor Protection to more clearly incorporate international standards into the labor protection system and define the role of the government, employers, workers, and workers' organizations in monitoring working conditions.(47, 62, 63) In October 2016, a Presidential Decree was issued prohibiting unannounced inspections targeted at improving the business climate by eliminating regulatory burdens on small and private businesses. However, the decree imposed a ban on unannounced labor inspections of all private enterprise.(64) This provision is scheduled to enter into force in 2017.(47, 64)

The Law on Guarantees of the Rights of the Child requires that the State protect children from involvement in prostitution; however, the law does not criminally prohibit the use, procurement, or offering of children in prostitution.(50, 52, 58)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor	Conduct labor inspections, including inspections for compliance with child labor laws.(65)
Ministry of Interior Office for Combating Trafficking	Investigate crimes related to child trafficking, which may then be prosecuted by the Prosecutor General's Office.(66)
Prosecutor General's Office	Prosecute criminal violations involving the worst forms of child labor, including human trafficking, forced labor, and commercial sexual exploitation.(66)

Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Ministry of Public Education, Ministry of Higher and Secondary Special Education, and Center for Secondary and Vocational Education	Monitor elementary through secondary school students to prevent forced child labor, including in the production of cotton. Monitor employment of all graduates of all educational institutions for two years after graduation.(67, 68)
Women's Committee of Uzbekistan	Monitor school attendance through the academic year, especially during the cotton harvest. A total of 14 regional and 194 district branches of the Women's Committee are involved in monitoring school attendance.(67)
Ministry of Labor Human Trafficking Hotlines	Receive reports of incidents of human trafficking and refer reports to the relevant agencies.(69)
Feedback Mechanism	Receive complaints on the violation of workers' rights and labor laws through two telephone hotlines: one Ministry of Labor hotline that refers cases to the Labor Inspectorate and the Prosecutor General's Office, and one Federation of Trade Unions hotline that focuses on mediation of individual workers' rights complaints.(17)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Uzbekistan took action to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown (17)	Unknown (17)
Number of Labor Inspectors	439 (70)	328 (71)
Inspectorate Authorized to Assess Penalties	Yes (70)	Yes (70)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (70)	Yes (71)
Number of Labor Inspections	Unknown (17)	Unknown
Number Conducted at Worksite	Unknown (17)	498 (71)
Number Conducted by Desk Reviews	Unknown (17)	Unknown
Number of Child Labor Violations Found	Unknown (17)	13 (47)
Number of Child Labor Violations for Which Penalties Were Imposed	7 (72)	Unknown
Number of Penalties Imposed That Were Collected	Unknown	Unknown
Routine Inspections Conducted	Yes (17)	Yes (17)
Routine Inspections Targeted	Yes (17)	Yes (17)
Unannounced Inspections Permitted	Yes (17)	Yes (17)
Unannounced Inspections Conducted	Yes (17)	Yes (17)
Complaint Mechanism Exists	Yes (17)	Yes (17)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (17)	Yes (17)

During the reporting period, both the ILO-led TPM and the Government-supported Coordination Council conducted monitoring of the cotton harvest.(46) The coverage of national monitoring expanded from 3 provinces in 2015 to all 13 provinces in 2016. Five minors were identified in cotton fields; however, no evidence of systematic use of child labor was detected.(71) The TPM adapted its methodology in 2016 to include a pre-harvest monitoring phase that assessed whether ministries, schools, and medical facilities responsible for recruiting cotton pickers were taking appropriate measures to prevent the use of child and forced labor. The TPM report noted that recordkeeping on the implementation of these measures was inconsistent, especially in rural areas, and that regular auditing of records would be required to ensure preventive measures were being properly implemented.(45) The TPM report also noted that many respondents appeared to have been coached on how to answer monitors.(45) Independent observers commented that the presence of Government-

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affiliated Federation of Trade Unions of Uzbekistan (FTUU) officials on monitoring teams intimidated respondents and made them unwilling to speak openly with monitors.(23)

Differences between TPM and government monitoring results and reporting by independent observers suggest deficiencies in the current monitoring and enforcement system, including insufficient investigation, identification, and punishment of labor violations in the cotton sector. Among the independently reported violations are incidents of mobilization of entire classes of schoolchildren and the possible involvement of local or regional government authorities in such mobilization.(23, 45) The Government of Uzbekistan issued administrative penalties, such as fines or written admonishments, to 15 local administrators of educational and healthcare institutions and farming enterprises involved in mobilizing adult forced labor in 2016.(73) However, research did not find any cases in which local government officials responsible for enforcing quotas at the regional, district, or town level received fines for their involvement in the mobilization of children or adults in the cotton harvest.

Both the Ministry of Labor and the FTUU continued to operate separate Feedback Mechanism (FBM) hotlines during the 2016 harvest. Notable improvements to the FBM's functioning in 2016 include the introduction of anonymous complaints to the FTUU's hotline, the addition of an appeals process, and the introduction of year-round operation.(45, 73) Observers agree that increased public confidence in the FBM is needed for the mechanism to function effectively. While the use of the hotlines increased in 2016, reports of reprisals against individuals who made complaints via the FBM hotlines about forced labor continued in 2016.(23, 45)

In February 2016, the President signed a resolution mandating that each region have a dedicated labor inspector, an improvement on the previous standard of one inspector for every two regions, which left rural areas underserved.(73) However, the number of labor inspectors is insufficient for the size of Uzbekistan's workforce, which includes over 17.8 million workers. According to the ILO's recommendation of 1 inspector for every 20,000 workers in transitioning economies, Uzbekistan's labor inspectorate should employ roughly 890 inspectors.(74-76)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Uzbekistan took actions to combat child labor, including its worst forms (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (68)	Yes (68)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (72)	Yes (73)
Number of Investigations	Unknown	Unknown
Number of Violations Found	54 (72)	12 (73)
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (17)	Yes (17)

During the reporting period, 50 Ministry of Interior officers and investigators received training on measures for preventing human trafficking.(73)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Coordination Council on Child Labor Issues (Coordination Council)	Coordinate efforts to address child labor issues, including monitoring of the cotton harvest; chaired by the Federation of Trade Unions.(71, 73) In 2016, the Coordination Council led child labor monitoring activities throughout Uzbekistan and collaborated with the ILO and the World Bank to host capacity-building seminars for government ministries, regional government authorities, and farmers on the implementation of national and international labor standards.(45, 47, 71)
Interagency Working Group	Coordinate efforts to address labor rights issues, including child labor.(65, 77, 78) Report to the ILO on the Government's implementation of ratified conventions and its efforts to prevent forced labor and protect working minors. Headed by the Ministry of Labor.(77-80)
National Interagency Commission to Combat Trafficking in Persons	Oversee efforts to combat human trafficking, including by improving interagency cooperation, raising public awareness, and drafting legislation.(72) Chaired by the Prosecutor General.(66) In 2016, actively coordinated with local NGO partners to conduct public awareness campaigns.(73)
Local interagency committees	Monitor human trafficking at the provincial, regional, and municipal levels.(66)

In August 2016, the Ministry of Labor and the FTUU issued a joint letter to the seats of regional government, or *hokimiyats*, emphasizing the importance of preventing the use of child and forced labor in the harvest.(73) According to the TPM report, child labor has become broadly socially unacceptable. However, despite formal directives and awareness-raising efforts, national prohibitions on child labor continued to be implemented inconsistently at the local level.(23) This suggests the need for improved coordination between the national, regional, and district governments to ensure that local governments are committed to implementing the laws and policies prohibiting child labor in cotton production and other sectors and that appropriate remediation action is taken when they do not.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
Memorandum of Understanding Between the ILO and the Republic of Uzbekistan (2014–2016)	Establishes terms of agreement between the ILO and the Government on cooperation to implement the Decent Work Country Program in Uzbekistan from 2014–2016.(81) This agreement represents an important step toward implementation of recommendations of the ILO supervisory bodies, including utilizing ILO technical assistance and continuing to work with the ILO or other credible third parties to observe cotton harvests.(36, 82)
National Action Plan for the Application of ILO Conventions	Establishes a framework for implementing ILO Conventions 138 and 182 by coordinating the activities of ministries, departments, and local government authorities.(17, 83) Prescribed activities include the annual monitoring of the cotton harvest, which took place during the reporting period.(71, 83)
Resolution of the Cabinet of Ministers No. 132 on Additional Measures to Ensure the Implementation of ILO Conventions (2014–2016)	Establishes actions and efforts to be taken to address the worst forms of child labor and forced labor. Outlines additional activities to be implemented in 2014–2016 in response to ILO convention requirements, including awareness-raising, monitoring of the cotton harvest, legal reform, data collection, and activities on the worst forms of child labor targeting government ministries, international organizations, students, trade unions, and employers.(84) Ministry of Labor is charged with implementation.(68)
Action Plan on Improving Working Conditions, Employment, and Social Protection of Workers in Agriculture (2016–2018)†	Demonstrates the Government's commitment to improving conditions for hiring of workers in agriculture; strengthening the Feedback Mechanism (FBM) and national monitoring to prevent child and forced labor; increasing provision of information and guidance in order to advance decent work; increasing mechanization of agriculture; and improving social protection of workers in agriculture.(85-87)
Cabinet of Ministers Order 909F	Outlines steps to ensure decent working conditions in Uzbekistan, including by preventing child and forced labor. The order lays out the Government's intentions to improve monitoring and feedback mechanisms, as well as to continue working with the ILO and World Bank to develop information materials and conduct public awareness campaigns about child and forced labor.(17)
National Plan of Action Against Trafficking in Persons (2015–2016)	Includes activities to conduct public awareness-raising, assist and protect victims, and strengthen the capacity of government agencies and NGOs working on human trafficking issues.(72)

† Policy was approved during the reporting period.

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In 2016, the national government maintained cotton production policies that mandate harvest quotas and set crop prices at levels that offer strong incentives for local administrators to mobilize forced labor, which in turn creates an ongoing risk that children may be mobilized for forced child labor.(23, 73)

The Government has not included child labor elimination and prevention strategies into the Education Sector Plan (2013–2017).(88)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that included the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor†

Program	Description
<u>Support for the Decent Work Country Program in Uzbekistan</u>	\$6 million USDOL-funded project awarded in December 2014 to the ILO to enhance the capacity of the Government and workers’ and employers’ representatives to prevent and reduce child and forced labor, and to promote decent work in Uzbekistan.(89, 90) In 2016, the project prepared training materials for monitoring child labor and forced labor in the cotton harvest. It also delivered training courses, seminars, and technical advice on collective bargaining and core labor conventions, facilitating Uzbekistan’s ratification of ILO Convention 87 Concerning Freedom of Association and the Protection of the Right to Organize.(91, 92)
Efforts to Prevent Child Labor in the Cotton Harvest‡	Government-led initiatives to prevent the involvement of children in the cotton harvest include the provision of extracurricular activities for students who might otherwise participate in the harvest after school, and efforts to raise awareness about the prohibition of child labor in the harvest.(71) In 2016, 44,500 posters including information on the prohibition of child labor and the FBM hotlines were distributed to educational institutions, and 100,000 flyers were disseminated among farmers and employers. Awareness-raising videos on the FBMs were also prepared and received air time on national television.(71)
Global Partnership for Education	Multilateral initiative to coordinate the efforts of developing countries, donors, international organizations, teachers, NGOs, and the private sector to secure universal access to quality education in developing countries.(93, 94)
School Assistance‡	Ministry of Public Education program that provides winter clothes and other educational resources to needy families to support their school attendance.(17, 95)
Family Support Assistance‡	Government of Uzbekistan program that provides an allowance to low-income families to be paid if their children continue their education up to age 18.(17, 95)
Child Protection Assistance	UNICEF program that engages with the Government of Uzbekistan to support the development of a national child protection system that will prevent and respond to children who are at risk of or have been subject to child abuse, exploitation, and violence.(96)
Child Rights Monitoring	UNICEF program partners with local and regional governments, NGOs, and civil service training institutions to strengthen Uzbekistan’s application and monitoring of obligations under the UN CRC.(97)
National Rehabilitation Center‡	Ministry of Labor-operated shelter that provides human trafficking victims with emergency medical and social services and assists in social rehabilitation. In 2016, the shelter served 400 individuals, including 17 minors.(71)
Human Trafficking is a Modern Issue‡	National Interagency Commission to Combat Trafficking in Persons-led program, which carried out more than 61,500 awareness-raising activities that reached 4.1 million citizens, including 1 million children.(72, 98)

† Program is funded by the Government of Uzbekistan.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(46, 47)

The Government has implemented programs to combat child labor in the cotton harvest and to address human trafficking. Despite these efforts, forced labor issues persist in Uzbekistan.(99)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Uzbekistan (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Criminally prohibit the use, procurement, and offering of a child for prostitution.	2015 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
Enforcement	Ensure that monitoring is independent, including by creating conditions such that respondents can participate without fear of reprisal and by holding accountable officials who coach or provide answers to local officials or workers involved in the cotton harvest.	2016
	Allow independent observers unrestricted access to monitor child labor during the cotton harvest through unannounced site visits, and punish officials who threaten or detain observers in order to suppress information about labor violations.	2014 – 2016
	Publish information about the Labor Inspectorate’s funding, training for inspectors, number and type of inspections conducted, number of child labor violations found, and number of penalties collected.	2015 – 2016
	Establish a process to regularly assess institutional measures to prevent child and forced labor to ensure consistent implementation, including in rural areas.	2016
	Take steps to build public trust in the Feedback Mechanisms and other mechanisms for receiving child labor complaints, especially by ensuring individuals who make use of these mechanisms do not experience retaliation.	2015 – 2016
	Increase the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce.	2015 – 2016
	Ensure unannounced inspections are permitted in all sectors, to ensure the inspection system is not weakened.	2016
	Ensure that the cotton harvest monitoring and enforcement system is comprehensive, investigates worker complaints and third-party reports of school closings and child labor, and applies penalties against responsible individuals, including local or regional government authorities (such as <i>hokim</i> or town mayors), who are involved in the mobilization of children.	2012 – 2016
	Publish disaggregated information on investigations, prosecutions, and convictions related to the worst forms of child labor and trafficking of children.	2011 – 2016
Coordination	Increase coordination efforts directed at regional and district governments to ensure local governments are both aware of and committed to implementing the laws and policies prohibiting child labor in cotton production and other sectors ensure that appropriate remediation action is taken when they do not.	2015 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into the Education Sector Plan.	2014 – 2016
	Ensure that the participation of teachers in the cotton harvest is voluntary and does not negatively impact education quality during the harvest or increase the vulnerability of students to participation in the harvest.	2015 – 2016
	Revise policies that mandate cotton harvest quotas and set purchase prices below market value to help prevent forced involvement of children under age 18 in the cotton harvest.	2012 – 2016
	Strengthen recordkeeping in educational institutions and maintain up-to-date records of cotton workers’ ages to ensure students under age 18 are not engaged in the harvest.	2013 – 2016
Social Programs	Conduct research to determine the prevalence of child labor, including the nature and extent of children’s involvement in silk cocoon cultivation and scrap metal collection.	2013 – 2016
	Expand programs to address the worst forms of child labor, with a particular focus on child trafficking and children involved in cotton production.	2009 – 2016

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In 2016, Vanuatu made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government adopted the Vanuatu National Child Protection Policy, which aims to protect children from the worst forms of child labor. However, there is evidence that children perform dangerous tasks in agriculture and engage in the worst forms of child labor, including in commercial sexual exploitation. Vanuatu's minimum ages of 12 for work and 15 for hazardous work are not in compliance with international standards. The Government has yet to pass the Employment Relations Bill of 2012 that prohibits the engagement of children under the age of 18 in hazardous work. In addition, Vanuatu does not have any social programs to address child labor, including its worst forms.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Vanuatu perform dangerous tasks in agriculture and engage in the worst forms of child labor, including in commercial sexual exploitation.(1) Table 1 provides key indicators on children's work and education in Vanuatu. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		93.8

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2016.(2)

Data were unavailable from Understanding Children's Work Project's analysis, 2016.(3)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Forestry and farming, activities unknown (4)
Services	Street vending (4)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation (1, 5)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3 (a)–(c) of ILO C. 182.

There have been no national surveys of child labor in Vanuatu to determine the nature and prevalence of the problem.(6)



II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Vanuatu has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	
ILO C. 182, Worst Forms of Child Labor	✓

Table 3. Ratification of International Conventions on Child Labor (cont)

	Convention	Ratification
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Vanuatu's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	14	Section 38 of the Employment Act (7)
Minimum Age for Hazardous Work	No	15	Section 40 of the Employment Act (7)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Section 40 of the Employment Act (7)
Prohibition of Forced Labor	No		Section 7 of the Employment Act; Section 102 of the Penal Code; Organized Crime Act (7-9)
Prohibition of Child Trafficking	Yes		Section 35 of the Counter Terrorism and Transnational Organized Crime Act (9)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 101B, 101C, 101D, 147A, and 147B of the Penal Code (8)
Prohibition of Using Children in Illicit Activities	No		Section 35 of the Penal Code (8)
Minimum Age for Military Recruitment			
State Compulsory	N/A [†]		
State Voluntary	N/A [†]		
Non-state Compulsory	No		
Compulsory Education Age	No		
Free Public Education	No		Primary Education School Fee Grant Policy (10)

[†] No standing military (11)

As Vanuatu has not ratified ILO C.138, the minimum age of 14 years does not meet international standards.(7) The Employment Act permits children ages 12 and 13 to work in agricultural light work, but it does not specify the activities and hours per week that are allowed for work.(4, 7)

The Government has yet to pass the Employment Relations Bill of 2012 that prohibits the engagement of children under the age of 18 in hazardous work and has not determined by national law or regulation the types of hazardous work prohibited for children.(12) The minimum age of 15 for hazardous work is not in compliance with international standards, failing to protect children ages 16 and 17 from work that could jeopardize their health and safety.(7)

Laws related to forced labor are not sufficient, as debt bondage is not criminally prohibited.(4, 7, 8) In addition, the Penal Code does not include heightened penalties for inciting children to engage in criminal activities, including drug production and drug trafficking.(8) There is no compulsory age for education, and education is inaccessible for vast numbers of people who live in remote areas, which increase the risk of children's involvement in child labor.(12-14) Although it does not appear that there are any laws that provide free basic education, there is a policy that sufficiently provides for free basic education in government-owned schools for children in grades one to six.(10)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor and Ministry of Justice	Enforce provisions set forth in the Employment Act, including child labor laws.(4)
Vanuatu Police Force	Enforce all criminal laws related to the worst forms of child labor.(4)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Vanuatu took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	0 (15)	Unknown
Number of Labor Inspectors	4 (5)	4 (16)
Inspectorate Authorized to Assess Penalties	Yes (5)	Unknown
Training for Labor Inspectors		
Initial Training for New Employees	No (5)	Yes (16)
Training on New Laws Related to Child Labor	N/A	Unknown
Refresher Courses Provided	No (5)	Unknown
Number of Labor Inspections	41 (5)	185 (16)
Number Conducted at Worksite	Unknown	185 (16)
Number Conducted by Desk Reviews	Unknown	85 (16)
Number of Child Labor Violations Found	Unknown	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown
Number of Penalties Imposed that Were Collected	Unknown	Unknown
Routine Inspections Conducted	Unknown	Yes (16)
Routine Inspections Targeted	Unknown	No (16)
Unannounced Inspections Permitted	Yes (5)	Yes (16)
Unannounced Inspections Conducted	Yes (5)	Yes (16)
Complaint Mechanism Exists	Unknown (5)	Yes (16)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Yes (16)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Vanuatu took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown (5)	Unknown* (4)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Unknown (5)	Unknown (4)
Number of Investigations	Unknown (5)	Unknown* (4)
Number of Violations Found	Unknown (5)	Unknown* (4)
Number of Prosecutions Initiated	Unknown (5)	Unknown* (4)

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor (cont)

Overview of Criminal Law Enforcement	2015	2016
Number of Convictions	Unknown (5)	Unknown* (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (5)	Unknown (4)

* The Government does not publish this information.

Based on the most recent data available from 2012, the Vanuatu Police Force employs 50 investigators, who are responsible for enforcing laws against the worst forms of child labor.(6)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established a working group to combat the commercial sexual exploitation of children, research found no evidence that the working group functions as a coordinating mechanism to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Child Protection Working Group	Serve as the primary forum for experience exchange in child protection. Comprises representatives from the Government, UN agencies, civil society organizations, and NGOs.(4, 16, 17)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established a policy related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
Vanuatu National Child Protection Policy (2016–2026)†	Aims to create an environment that protects children from abuse, exploitation, human trafficking, neglect, and violence; provides children with equitable access to services to support reintegration and recovery when needed.(17)

† Policy was approved during the reporting period.

In 2016, the Government adopted the Vanuatu National Child Protection Policy, which aims to protect children from the worst forms of child labor, including commercial sexual exploitation and human trafficking; however, the policy leaves children vulnerable to illicit activities.(17)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

Research found no evidence that the Government funded or participated in programs that include the goal of eliminating or preventing child labor, including its worst forms.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Vanuatu (Table 10).

Table 10. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2014 – 2016
	Pass the Employment Relations Bill of 2012.	2016
	Establish a minimum age for work of at least 15 years.	2016
	Establish a minimum age for hazardous work as age 18 and identify hazardous occupations and activities prohibited for children.	2009 – 2016
	Ensure that the law protects children ages 12 and 13 employed in light agricultural work by specifying the activities and hours per week that are allowed.	2009 – 2016

Table 10. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that debt bondage is criminally prohibited.	2015 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Ensure that there are heightened penalties for inciting children to engage in criminal activities.	2015 – 2016
	Ensure that the law specifically prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2016
	Establish by law an age up to which education is compulsory that extends to the minimum age for employment.	2016
	Establish by law free basic public education.	2016
Enforcement	Publish information regarding funding to the labor inspectorate to enforce laws prohibiting child labor.	2015 – 2016
	Train labor inspectors on enforcing child labor laws and train criminal investigators on enforcing laws prohibiting the worst forms of child labor.	2014 – 2016
	Publish data on labor law and criminal law enforcement actions taken to address child labor, including its worst forms.	2012 – 2016
	Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2016
	Establish referral mechanisms among the Labor Department, the Vanuatu Police Force, and social welfare services to protect and rehabilitate children involved in child labor, including its worst forms.	2014 – 2016
Coordination	Establish a coordinating mechanism to combat child labor, including its worst forms.	2012 – 2016
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as the use of children in illicit activities.	2016
Social Programs	Conduct a national child labor survey to determine the prevalence and nature of child labor in Vanuatu.	2014 – 2016
	Explore ways to increase access to education and fully implement the policy of free, universal education.	2012 – 2016
	Implement programs to address the worst forms of child labor, specifically commercial sexual exploitation.	2012 – 2016

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In 2016, Venezuela made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government continued to fund and implement social programs to improve conditions for some working children and raise awareness of human trafficking. However, children in Venezuela are engaged in child labor, including in domestic work. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. The Government has not published a list of hazardous occupations prohibited for children or information on the enforcement of child labor laws. In addition, information is not available on the effectiveness of the Government's coordinating body on child labor, and the Government does not have sufficient efforts in place to protect children in key sectors where child labor is prevalent.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Venezuela engage in child labor, including in domestic work. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1-13) The Government's 2011 census, which is the most recent information available, found approximately 262,000 children and adolescents between ages 10 and 17 working in Venezuela, but research could not determine the extent to which the survey encompassed the informal sector or whether there are studies that target the worst forms of child labor. (14) Table 1 provides key indicators on children's work and education in Venezuela.

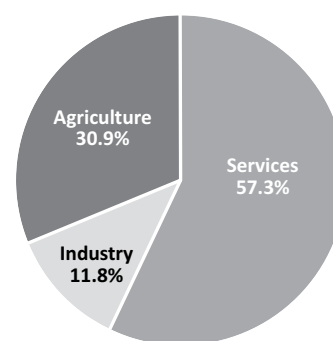
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	3.9 (108,124)
Attending School (%)	10 to 14	96.2
Combining Work and School (%)	10 to 14	2.7
Primary Completion Rate (%)		95.2

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016. (15)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta de Hogares por Muestreo (EHM), 2013. (16)

Figure 1. Working Children by Sector, Ages 10-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Clearing land, planting, fumigating, and harvesting (17)
	Tending and grazing livestock, cleaning corrals (17, 18)
	Fishing, including processing ark clams (17, 18)
Industry	Mining, including gold mining (1, 6, 19, 20)
Services	Domestic work (3, 12, 13)
	Street work, including vending, shoe shining, begging, collecting bus and taxi fares, and motorbike couriering (1, 3, 10, 14, 18-25)
	Construction assistance, including lifting and carrying heavy materials (1, 18-20)
	Bagging, carrying bags, and pushing carts in supermarkets (18, 25)
	Garbage scavenging and recycling (21, 26)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [‡]	Forced labor in domestic work and begging (1, 3-5, 19, 20, 27)
	Selling drugs, sometimes as a result of forced labor (19, 20)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1-11)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Children are sometimes trafficked to urban areas, such as Caracas and Maracaibo, or to resort destinations, such as Margarita Island, for commercial sexual exploitation.(4, 6, 7, 27) Indigenous children work in illegal gold mines in the Upper Orinoco, Casiquiare, and Guainia-Rio Negro river basins and are vulnerable to human trafficking and commercial sexual exploitation.(6) Civil society groups estimate that more than 200,000 children are exploited by criminal organizations and more than 1 million children work in the informal sector.(20) Civil society groups also report that children are increasingly engaged in begging and domestic servitude, each sometimes as a result of human trafficking, as well as gang activity and, to a lesser extent, commercial sexual exploitation due to the economic crisis.(1, 8, 10, 28)




Children from rural areas, indigenous children, Afro-descendant children, children with disabilities, pregnant girls, and adolescent mothers face barriers to accessing education; many students stop their formal education after completing the ninth grade.(1, 3, 7, 29) Reports indicate children are increasingly leaving school to work in the informal sector or engage in illicit activities due to food shortages and increased crime. Children and teachers reportedly miss school due to hunger or to wait in long supermarket lines.(1, 23, 30, 31)

Although Article 6.2.k. of the Education Law guarantees that no student’s academic documents may be withheld, according to NGOs, Colombian children living in Venezuela without a Venezuelan identification card are sometimes prevented from receiving diplomas, certifications, and credentials from formal educational institutions. The practice of withholding their academic documents may discourage them from completing their education, increasing their vulnerability to labor exploitation.(32-35)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Venezuela has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Venezuela’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Article 32 of the Labor Law; Article 96 of the Law for the Protection of Children and Adolescents (36, 37)
Minimum Age for Hazardous Work	Yes	18	Articles 18, 94 and 96 of the Law for the Protection of Children and Adolescents; Article 80 of the Regulations on Occupational Safety and Health Conditions (37, 38)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Article 96 of the Law for the Protection of Children and Adolescents; Articles 79 and 80 of the Regulations on Occupational Safety and Health Conditions; Article 245 of the Labor Law (36-38)
Prohibition of Forced Labor	Yes		Article 30 of the Labor Law; Articles 38, 40, 231, 232, and 266–268 of the Law for the Protection of Children and Adolescents; Article 54 of the Constitution; Article 41 of the Law Against Organized Crime and Terrorism; Articles 55 and 56 of the Law for Women’s Right to a Life Free from Violence (36, 37, 39-41)
Prohibition of Child Trafficking	No		Articles 40, 231, 232, and 266–268 of the Law for the Protection of Children and Adolescents; Article 54 of the Constitution; Article 41 of the Law Against Organized Crime and Terrorism; Articles 55 and 56 of the Law for Women’s Right to a Life Free from Violence (37, 39-41)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 33 and 258 of the Law for the Protection of Children and Adolescents; Articles 46–49 of the Law Against Organized Crime and Terrorism; Article 56 of the Law for Women’s Right to a Life Free from Violence; Article 24 of the Special Law Against Cybercrimes (37, 40-42)
Prohibition of Using Children in Illicit Activities	Yes		Articles 264 and 265 of the Law for the Protection of Children and Adolescents; Article 38 of the Drug Act (37, 43)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 4 of the Partial Reform of the Military Enlistment Law (44)
Non-state Compulsory	No		
Compulsory Education Age	Yes	15 [‡]	Article 53 of the Law for the Protection of Children and Adolescents; Articles 102 and 103 of the Constitution; Articles 3 and 6 of the Education Law (20, 33, 37, 39)
Free Public Education	Yes		Article 53 of the Law for the Protection of Children and Adolescents; Article 102 of the Constitution; Articles 3 and 6 of the Education Law (33, 37, 39)

* No conscription (39, 44)

‡ Age calculated based on available information (20, 33, 37, 39)

Although adolescents are prohibited from working in activities that may harm their health or development, such as on boats, the Government has not published a list of hazardous occupations prohibited for children under age 18.(2, 19, 36, 45, 46) Articles 79 and 80 of the Regulations on Occupational Safety and Health Conditions prohibit activities considered dangerous or unhealthy for children under age 18; however, the list referenced is not included in the published version of the Regulations. Similarly, Article 96 of the Law for the Protection of Children and Adolescents prohibits children under age 18 from working in activities prohibited by law but does not specify which activities are considered hazardous or prohibited for minors.(37, 38)

Venezuelan law does not sufficiently prohibit the trafficking of children. Articles 55 and 56 of the Law for Women’s Right to a Life Free from Violence do not protect boys from trafficking and require the use of deception, coercion, force, violence, threats, abduction, or other fraudulent means to carry out the offense of trafficking girls, including for commercial sexual exploitation.(41) Although Article 41 of the Law Against Organized Crime and Terrorism prohibits the trafficking of children, the law prohibits human trafficking committed only by members of organized criminal groups.(40) Venezuelan law does not prohibit non-state armed groups from recruiting children under 18.

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III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Popular Power for Labor and Social Security (MINPPTRASS)	Enforce child labor laws and conduct child labor inspections in formal and informal business sectors. Develop policies and projects regarding child labor.(19, 21, 47)
National Institute for Prevention, Safety, and Health at Work	Assist MINPPTRASS in enforcing labor laws and conditions of work in Venezuela, including by conducting child labor inspections in formal and informal business sectors. Help develop labor inspection apparatus and implement national labor policies.(19, 48)
Municipal Councils for the Protection of Children and Adolescents	Manage the MINPPTRASS Registry for Adolescent Workers to ensure that employed students of legal working age balance their education and employment and that employers adhere to labor laws.(20)
Ministry of Popular Power of the Interior, Justice, and Peace	Investigate human trafficking cases through the Criminal Investigative Division and commercial sexual exploitation and illicit activities through the Scientific, Penal, and Criminal Investigative Corps.(1)

Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in Venezuela took actions to combat the worst forms of child labor (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	Unknown	Unknown
Inspectorate Authorized to Assess Penalties	Unknown	Unknown
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to Child Labor	Unknown	Unknown
Refresher Courses Provided	Unknown	Unknown
Number of Labor Inspections		
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	Unknown* (20)	Unknown*
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown* (20)	Unknown*
Number of Penalties Imposed That Were Collected	Unknown* (20)	Unknown*
Routine Inspections Conducted	Unknown	Unknown
Routine Inspections Targeted	Unknown	Unknown
Unannounced Inspections Permitted	Unknown	Unknown
Unannounced Inspections Conducted	Unknown	Unknown
Complaint Mechanism Exists	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Unknown

* The Government does not publish this information.

NGOs have expressed concerns that the Government does not effectively monitor employed youth of legal working age to ensure that their employment does not negatively affect their education and that they are not exploited by employers.(1)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Venezuela took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Unknown
Refresher Courses Provided	Unknown	Unknown
Number of Investigations	Unknown* (20)	Unknown*
Number of Violations Found	Unknown* (20)	Unknown*
Number of Prosecutions Initiated	Unknown* (27)	Unknown*
Number of Convictions	Unknown* (27)	Unknown*
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (27)	Unknown

* The Government does not publish this information.

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
System for the Protection of Children and Adolescents	Protect children's rights and address child labor issues through policies and programs at the national and state levels. Mandated by the Law for the Protection of Children and Adolescents and composed of several government ministries and councils and representatives from civil society.(37, 49)

Although the Government has established the System for the Protection of Children and Adolescents, this body does not provide adequate coordination, monitoring, and evaluation of institutions to ensure protection from the worst forms of child labor. Moreover, research could not determine to what extent the body was active during the reporting period.(6) The Government's ability to address exploitative child labor is limited by minimal coordination between law enforcement agencies and insufficient information sharing between government offices at the municipal and national levels.(1, 20) Research could not determine whether the Government maintains a coordinating body that addresses the trafficking of children, including for commercial sexual exploitation.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plan of Action Against Abuse and Commercial Sexual Exploitation	Addresses the prevention of commercial sexual exploitation of children under age 18 and the rehabilitation of victims.(50)

Although the Government of Venezuela has adopted poverty reduction strategies, as well as a policy to combat the commercial sexual exploitation of children, research did not find evidence of a national policy that targeted other forms of child labor, such as domestic work and street work.(6) The Government has not included child labor elimination and prevention strategies into the Second Socialist Plan for the Economic and Social Development of the Nation policy.(51)

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VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Children of the Barrio Mission (<i>Misión Niños del Barrio</i>)†	Program administered by the National Council for the Rights of Children and Adolescents (IDENA) that provides services to at-risk and underprivileged children, including child laborers. Eradicate exploitation, abuse, and psychological and physical mistreatment of children from birth to age 17.(14, 21, 52)
Program to Dignify Working Children and Adolescents†	IDENA-administered program to eradicate exploitative working conditions and establish safe business environments for working children above the legal age.(1, 19, 45, 53)
Human Trafficking Awareness Campaign†	Government program to raise public awareness of human trafficking and commercial sexual exploitation; disseminate public service announcements, advertisements, posters, and pamphlets in airports and tourist areas.(27)
Communal Centers for Comprehensive Care†	IDENA-supervised centers to provide meals and educational assistance to at-risk children from birth to age 12. Partners with the Ministry of Popular Power, Health, and Social Development to provide medical and dental care to children.(54)
National Day Camps†	IDENA-administered program under the Community Vacation Plan to provide summer day camps for children, with a focus on athletic, artistic, and cultural activities.(14, 19, 20)

† Program is funded by the Government of Venezuela.

Although the Government continued programming to alleviate poverty and improve conditions for some working children during the reporting period, these programs had limited effectiveness due to reduced government funding.(1) Although the Ministry of Popular Power for Interior and Justice and the Child Protection Council have trained psychologists and physicians to provide psychological and medical examinations to victims of human trafficking, follow-up social services to assist victims are limited.(27) Overall, existing government programs are insufficient to protect children in key sectors in which child labor is prevalent.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Venezuela (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Publish a comprehensive list of hazardous occupations and activities prohibited for children.	2009, 2011 – 2016
	Ensure that the law sanctions and prohibits child trafficking by all, not just by members of organized crime groups, and that the law does not require a showing of force, threats, violence, or coercion.	2016
	Ensure that the law criminally prohibits the recruitment of children under 18 into non-state armed groups.	2016
Enforcement	Ensure that all children receive their diplomas, certifications, and credentials in the formal education system.	2015 – 2016
	Publish information about the labor inspectorate's funding; the number of labor inspectors; whether the inspectorate is authorized to assess penalties; the training system for labor inspectors; the number of labor inspections conducted at worksites and by desk review; the number of child labor violations found and for which penalties were imposed and collected; whether inspections are routine and targeted; whether unannounced inspections are permitted and conducted; whether complaint and reciprocal referral mechanisms exist for both labor and criminal authorities and social services; the training system for criminal law enforcement; and the number of criminal investigations, violations found, prosecutions initiated, and convictions related to the worst forms of child labor.	2009 – 2016
	Effectively monitor employed youth of legal working age to ensure their employment does not negatively affect their education or place them in a worst form of child labor.	2015 – 2016
Coordination	Ensure that the System for the Protection of Children and Adolescents provides adequate coordination, monitoring, and evaluation of institutions to protect children from the worst forms of child labor and publish information on the activities of this body.	2013 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Coordination	Strengthen coordination between law enforcement agencies and information sharing between municipal and national government agencies to protect children from the worst forms of child labor.	2015 – 2016
	Publish information about any coordinating mechanism that addresses the trafficking of children, including for commercial sexual exploitation.	2013 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into the Second Socialist Plan for the Economic and Social Development of the Nation.	2009 – 2016
	Adopt a national policy that addresses all relevant forms of child labor, including domestic work and street work.	2013 – 2016
Social Programs	Ensure that child labor censuses cover all children under age 18 in both the formal and informal economy, and publish the results.	2010 – 2016
	Conduct and publish research on the worst forms of child labor.	2010 – 2011, 2013 – 2016
	Enhance efforts to eliminate barriers and make education accessible for all children, including children from indigenous and Afro-descendant communities, as well as children with disabilities; implement programs to ensure school enrollment and prevent school absence or abandonment, in particular due to food shortages and crime.	2015 – 2016
	Increase efforts to ensure that all children living in Venezuela may obtain Venezuelan identity documents.	2015 – 2016
	Increase funding and follow-up services for existing social programs and implement additional programs to specifically address the worst forms of child labor, including domestic servitude and commercial sexual exploitation.	2009 – 2016

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In 2016, Yemen made a minimal advancement in efforts to eliminate the worst forms of child labor. The Ministry of Education worked with UNICEF to rehabilitate schools and set up temporary learning facilities to allow 1.7 million children to access education. However, children in Yemen are engaged in the worst forms of child labor, including in fishing and armed conflict. Due to the ongoing armed conflict with the Houthi-Saleh rebels, the internationally recognized Republic of Yemen Government remained in exile in Saudi Arabia for the majority of this period and had limited operational control of its ministries in Yemen. As a result, it was unable to enforce the minimum age protections of the law or to provide demobilization and rehabilitation services to children who have been recruited and used by non-state armed groups in armed conflict.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Yemen engage in the worst forms of child labor, including in fishing and armed conflict.(1-7) According to the 2010 *National Child Labor Survey*, the majority of working children were in the agricultural and domestic work sectors.(1) Table 1 provides key indicators on children’s work and education in Yemen.

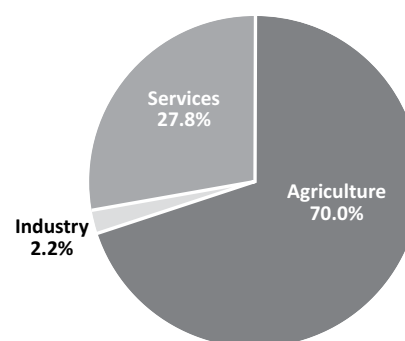
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	13.6 (834,866)
Attending School (%)	5 to 14	68.0
Combining Work and School (%)	7 to 14	10.3
Primary Completion Rate (%)		69.2

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2016.(8)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from *National Child Labor Survey*, 2010.(9)

Figure 1. Working Children by Sector, Ages 7-14



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, activities unknown (2, 10)
	Fishing, † activities unknown (1, 2, 11)
	Hunting, activities unknown (1)
Industry	Quarrying and mining (1, 2, 11)
	Construction, † activities unknown (1)
Services	Street work, including begging and scavenging garbage (1, 2, 11-14)
	Working in auto shops (2, 11)
	Domestic work † (1, 10)
	Selling goods in stores (1)
	Voluntarily recruited children used in hostilities by state armed groups (2, 4)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (2, 3, 11, 15, 16)
	Use in illicit activities, including in drug trafficking (16)
	Domestic work, begging, and working in small shops, each as a result of human trafficking (16)
	Forced recruitment of children by non-state armed groups for use in armed conflict (2-7)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

The civil war in Yemen continued throughout 2016. Republic of Yemen Government officials traveled intermittently from Saudi Arabia to Yemen, mostly Aden, but were unable to establish a sustained presence in the country.(2) The Republic of Yemen Government also had limited operational control over its ministries and remained unable to enforce regulations.(2)

Reports indicate that, due to economic hardships, commercial sexual exploitation of children increased. Girls are trafficked within Yemen to hotels in Aden, Sana’a, Ta’iz, and other cities for commercial sexual exploitation.(16) There is evidence that Yemeni children, mostly boys, migrate to Sana’a, Aden, and Saudi Arabia, where they are engaged in forced labor in domestic work, begging, or working in small shops. Tourists, including those from Saudi Arabia, enter into temporary marriages with Yemeni girls, which is a form of commercial sexual exploitation.(16) Limited evidence points to the existence of chattel slavery, as children are sold and inherited as property in the al-Hudaydah and al-Mahwit governorates.(16)

Various armed groups recruited and used child soldiers, including the Houthis, the Houthi-affiliated Popular Committees, *Al Qaeda* in the Arabian Peninsula, tribal militias, and government forces.(2-4, 7, 17) Children served as checkpoint guards or fighters.(4) Child soldiers on all sides of the conflict likely received payments, meals, and *qat*, a mild narcotic that is legal in Yemen, in exchange for their service.(2, 4) Limited evidence suggests that boys between the ages of 12 and 15 who are married in northern tribal regions are considered adults, and therefore are obligated to show their allegiance to their tribes by participating in the internal conflict, including through fighting or serving as guards. Some child soldiers were subjected to rape when captured by opposing warring groups in Aden.(2)




Enrollment rates in schools have been seriously affected by the internal conflict in Yemen, high levels of violence, and internal displacement.(18) According to UNICEF, in the 2015–2016 academic year, 1,600 schools remained closed and approximately 2.2 million school-aged children were out of school.(5)

Among the *Muhamasheen* (“marginalized”) minority group, generally of sub-Saharan African origin, illiteracy rates are high and child labor in the form of begging is prevalent.(12) Syrian refugee children are also engaged in begging.(19)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Yemen has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

The Republic of Yemen Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Yemen's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Section 5 of Ministerial Order No. 11 of 2013 (20)
Minimum Age for Hazardous Work	Yes	18	Section 7 of Ministerial Order No. 11 of 2013 (20)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Sections 7, 8, and 15 of Ministerial Order No. 11 of 2013 (20)
Prohibition of Forced Labor	No		Section 26 of Ministerial Order No. 11 of 2013 (21)
Prohibition of Child Trafficking	No		Section 26 of Ministerial Order No. 11 of 2013; Article 248 of the Penal Code (21, 22)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 147 and 163 of the Child Rights Law; Articles 272-274 and 279 of the Penal Code (22, 23)
Prohibition of Using Children in Illicit Activities	Yes		Section 24 of Ministerial Order No. 11 of 2013; Articles 148 and 162 of the Child Rights Law (21, 23)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 149 of the Child Rights Law (23)
Non-State Compulsory	No		
Compulsory Education Age	Yes	15 [‡]	Article 18 of the General Education Law (24)
Free Public Education	Yes		Article 87 of the Child Rights Law (23)

* No conscription (25)

[‡] Age calculated based on available information

Research did not find any legal prohibition of debt bondage and slavery. The legal framework does not appear to explicitly prohibit forced labor.

Research could not determine whether the legal framework adequately prohibits using, procuring, or offering a child in pornography and pornographic performances, or whether it prohibits using a child in prostitution, because a public version of Ministerial Order No. 11 of 2013, which replaced Ministerial Order No. 56 of 2004 containing some protections, was not available.

Based on available information, Ministerial Order No. 11 of 2013 does not appear to explicitly include all phases of child trafficking, such as harboring, transporting, and transferring children for exploitation.(21)

Research did not discover any law to establish 18 as the minimum age for recruitment by non-state armed groups.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Republic of Yemen Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Social Affairs and Labor's Child Labor Unit	Enforce child labor laws, conduct inspections, inform the Ministry of the Interior of any violations, and refer children found during inspections to appropriate social services. Receive complaints of child labor.(11)
Ministry of the Interior	Enforce child labor laws. Police agencies within the Ministry of the Interior handle human trafficking investigations.(11)
Ministry of Justice	Enforce child labor laws and prosecute and adjudicate child labor cases.(11)
Ministry of Human Rights, Ministry of Legal Affairs, Parliament, and the Social Fund for Development	Maintain supporting roles in combating child trafficking.(11)

Yemen

MINIMAL ADVANCEMENT

As of late November 2016, the internationally recognized Republic of Yemen Government reestablished a steady presence in Aden, as well as an intermittent presence in some other governorates. However, it was unable to return to the capital Sana'a or fully reestablish the rule of law in the territory it holds.(17)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Yemen did not take actions to combat child labor, including its worst forms. The Republic of Yemen Government was unable to enforce child labor laws due to the civil war.(2) No funding and training were provided for labor inspection. There was no mechanism to receive child labor complaints.(2)

The Ministry of Social Affairs and Labor's General Administration of Labor Inspection does not have the authority to enforce child labor laws in agriculture and domestic work.(26)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Yemen did not take actions to combat the worst forms of child labor.(2)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Republic of Yemen Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

Table 6. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee to Combat Child Labor	Coordinate child labor issues in Yemen. Comprises representatives from the Ministry of Social Affairs and Labor, other state agencies, ILO-IPEC, and local NGOs.(11)
Technical Committee for Combating Trafficking in Persons	Develop a national strategy to combat human trafficking.(27)
National Network for Child Protection	Implement training programs and media awareness campaigns, and advocate for progress on children's issues.(11)
Joint Technical Committee to Prevent Recruitment of Children in the Yemeni Armed Forces	Implement and monitor the Action Plan to end and prevent the recruitment of children by the Yemeni Armed Forces. Comprises the Ministry of Defense, the Higher Council for Motherhood and Childhood, the Civil Status and Registration Authority, and UN representatives.(28)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Republic of Yemen Government has established policies related to child labor, including its worst forms (Table 7).

Table 7. Key Policies Related to Child Labor

Policy	Description
Action Plan to End and Prevent the Recruitment of Children by the Yemeni Armed Forces	Ensures that national laws comply with international standards, prohibit the recruitment and use of children in armed forces, investigate allegations of violations, and facilitate UN access to monitor compliance.(29) Due to political instability, the Republic of Yemen Government could not implement the Action Plan in 2016.(2)

Although the Republic of Yemen Government has adopted the Action Plan to End and Prevent the Recruitment of Children, research found no evidence of a policy on other worst forms of child labor.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Republic of Yemen Government participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

Table 8. Key Social Programs to Address Child Labor

Program	Description
Child Protection Activities	UNICEF-funded programs designed to provide psychosocial support, including access to sports and arts, in community-based and mobile centers.(30) In 2016, UNICEF provided psychosocial support to approximately half a million children in child-friendly spaces in 18 governorates.(31)
Educational Activities	UNICEF-funded programs, conducted in cooperation with the Republic of Yemen Government, that provide educational support activities and services.(30) In 2016, UNICEF worked with the Ministry of Education to rehabilitate schools and set up temporary learning schools to allow 1.7 million children to access education.(31)

Research found no programs intended to remove, rehabilitate, and reintegrate children engaged in armed conflict.(32) Although Yemen has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly in fishing.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Yemen (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede to the Palermo Protocol on Trafficking in Persons.	2013 – 2016
	Ensure that debt bondage, slavery, and all phases of child trafficking are criminally prohibited.	2015 – 2016
	Make Ministerial Order No. 11 of 2013 publicly available.	2015 – 2016
	Ensure that the law is sufficiently comprehensive to prohibit using, procuring, and offering a child for prostitution, as well as child pornography and pornographic performances.	2015 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 into non-state armed groups.	2016
Enforcement	Ensure that the labor inspectorate has the capacity to enforce labor laws, including through reestablishing a mechanism to receive child labor complaints.	2015 – 2016
	Ensure that labor inspectors have proper funding and training to conduct inspections.	2009 – 2016
	Ensure that authorities can enforce minimum age protections in all sectors in which the worst forms of child labor are prevalent, including in agriculture and domestic work.	2009 – 2016
	Ensure that criminal law enforcement agencies can enforce child labor laws.	2015 – 2016
Government Policies	Implement the Action Plan to End and Prevent the Recruitment of Children by Yemeni Armed Conflict.	2009 – 2016
	Adopt a policy that addresses all relevant worst forms of child labor, such as human trafficking.	2009 – 2016
Social Programs	Expand programs to improve children's access to education.	2013 – 2016
	Institute a rehabilitation and reintegration program for children engaged in armed conflict and children involved in other worst forms of child labor, including fishing.	2011 – 2016

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In 2016, Zambia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government hired additional labor inspectors and approved a new development assistance framework that aims to prevent the worst forms of child labor. The Government also supported the development of programming to empower adolescent girls and reduce child labor in rural areas. However, children in Zambia continue to engage in the worst forms of child labor, including in the production of tobacco, and in commercial sexual exploitation, sometimes as a result of human trafficking. Gaps remain in the legal framework related to children; for example, the Education Act does not include the specific age to which education is compulsory, which may leave children under the legal working age vulnerable to the worst forms of child labor. In addition, law enforcement agencies lack the necessary human and financial resources to adequately enforce laws against child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Zambia engage in the worst forms of child labor, including in the production of tobacco and commercial sexual exploitation, sometimes as a result of human trafficking. (1-3) Table 1 provides key indicators on children's work and education in Zambia.

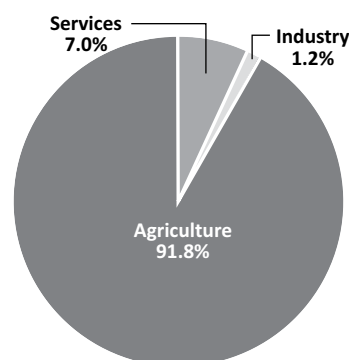
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	28.1 (992,722)
Attending School (%)	5 to 14	65.2
Combining Work and School (%)	7 to 14	27.6
Primary Completion Rate (%)		81.0

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2016.(4)

Source for all other data: Understanding Children's Work Project's Analysis of Statistics from the Labour Force Survey, 2008.(5)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of corn, coffee, tea, and sunflowers (1, 3)
	Production of cotton† and production of tobacco,† including transplanting, watering, weeding, ridging, grading, stringing, reaping, and applying fertilizers (1, 3, 6, 7)
	Raising and herding† cattle (2, 8-11)
	Fishing,† working on boats, cutting and smoking fish (1, 12)
	Producing charcoal† (1)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Industry	Mining gems, including amethysts and emeralds (1)
	Mining lead, zinc, iron ore, and copper (1)
	Quarrying rock, conducting rudimentary mine drilling, [†] and scavenging mine dump sites (1-3, 11)
	Crushing stones [†] (2, 10, 11, 13)
Services	Construction, including transporting construction materials (1, 3, 14, 15)
	Domestic work (2, 3, 11, 16, 17)
Categorical Worst Forms of Child Labor [‡]	Street work, including begging and vending (1, 2, 11, 15, 16)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 15)
	Agriculture activities, mining, and domestic work, sometimes as a result of human trafficking (1, 3, 14, 15, 18)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Children trafficked inside Zambia are primarily trafficked from rural to urban areas for domestic work and agriculture.(1, 15, 18) Some children in Zambia are forced to load trucks with stolen copper ore by *Jerabo* gangs, which are illegal mining syndicates in the Copperbelt province.(3, 15, 18) Along Zambia’s borders, the commercial sexual exploitation of children is common.(15) The Government has yet to release information on child labor from its 2008, 2012, or 2014 Labour Force Surveys, although the general Labour Force Survey results, which did not include data on child labor, were released in 2011, 2014, and 2016, respectively.(2, 19, 20)

Long distances to schools create a barrier to education.(6) Families also face costs for basic education, including fees for school supplies, which prevent some children from attending school.(3, 6, 17)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Zambia has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	✓

Zambia has not ratified the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, although commercial sexual exploitation of children continues to be a problem in the country.(15)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Zambia’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 24 of the Constitution; Article 12 of the Employment Act (21-23)
Minimum Age for Hazardous Work	Yes	18	Article 17 of the Employment of Young Persons and Children Act; Article 3 of the Prohibition of Employment of Young Persons and Children (Hazardous Labour) Order (24, 25)
Identification of Hazardous Occupations or Activities for Children	Yes		Prohibition of Employment of Young Persons and Children (Hazardous Labour) Order (25)
Prohibition of Forced Labor	Yes		Articles 14 and 24 of the Constitution; Articles 143 and 263 of the Penal Code; Article 3 of the Anti-Human Trafficking Act of 2008 (21, 23, 26, 27)
Prohibition of Child Trafficking	Yes		Article 24 of the Constitution; Article 143 of the Penal Code; Article 3 of the Anti-Human Trafficking Act of 2008 (21, 23, 26, 27)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 144 of the Penal Code; Article 2 of the Employment of Young Persons and Children Act (24, 27)
Prohibition of Using Children in Illicit Activities	Yes		Article 2 of the Employment of Young Persons and Children Act (24)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 14 of the Defence Act (28)
Non-state Compulsory	Yes	18	Article 3 of the Anti-Human Trafficking Act of 2008 (26)
Compulsory Education Age	No		Article 16 of the Education Act, 2011 (29)
Free Public Education	Yes		Article 15 of the Education Act, 2011 (29)

* No conscription (28)

Gaps remain in the legal framework. Penalties for child prostitution violations in the Employment of Young Persons and Children Act are different from those in the Penal Code.(30) Although the Penal Code treats child prostitution as a felony, with a minimum 20-year jail sentence, the Employment of Young Persons and Children Act treats it as a civil penalty and imposes a fine of \$35 to \$165 and possible discretionary prison time. In practice, the heavier statute of the Penal Code would be applied; however, research did not uncover any such prosecutions in recent years.(31, 32)

The Education Act requires the Government to provide free education up to the seventh grade and stipulates that education is compulsory for children of “school-going age.”(1, 29, 33) The Act, however, does not set a specific age or define “school-going age,” which may allow children to leave school before they are legally able to work.(29) The lack of standards in this area may increase the risk of children’s involvement in the worst forms of child labor.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MLSS) Child Labor Unit (CLU)	Implement and enforce child labor laws.(1, 14) Play advisory role for different Government agencies. Also responsible for the regulation of child labor laws.(20)
Zambia Police Service Child Protection Unit	Work with the MLSS and the Ministry of Youths, Sports, and Child Development to identify and remove vulnerable children from the streets. Work with 72 District Street Children Committees to rescue street children from child labor, including the worst forms, and place them with families, in foster care, or in children’s homes.(2, 19) Work with immigration officials to combat child trafficking, with local officials, regarding crimes against children and with schools to educate and sensitize children about abuse. Collaborate with the Ministry of Justice to investigate and prosecute child labor cases.(19, 34)

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Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Zambia Police Service Victim Support Unit	Handle the enforcement of laws against human trafficking, commercial sexual exploitation, and use of children in illicit activities.(1, 14, 19)
Ministry of Justice	Investigate and prosecute child labor cases.(19, 34)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Zambia took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	\$350,049 (11)
Number of Labor Inspectors	81 (35)	110 (11)
Inspectorate Authorized to Assess Penalties	No (2)	Yes (11)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Yes (11)
Training on New Laws Related to Child Labor	Unknown	Yes (11)
Refresher Courses Provided	Yes (2)	Yes (2)
Number of Labor Inspections	Unknown	980 (11)
Number Conducted at Worksite	Unknown	980 (11)
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	Unknown	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown
Number of Penalties Imposed that Were Collected	Unknown	Unknown
Routine Inspections Conducted	No (2)	Yes (11)
Routine Inspections Targeted	No (2)	Yes (11)
Unannounced Inspections Permitted	Yes (2)	Yes (11)
Unannounced Inspections Conducted	Unknown	Yes (11)
Complaint Mechanism Exists	Yes (2)	Yes (11)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (14)	Yes (11)

In 2016, the Ministry of Labor and Social Security (MLSS) employed 110 labor inspectors, which is an increase from the 81 employed in 2015.(11, 35) The number of labor inspectors is insufficient for the size of Zambia's workforce, which includes more than 7 million workers. According to the ILO's recommendation of 1 inspector for every 40,000 workers in less developed economies, Zambia should employ roughly 178 inspectors.(2, 14, 36-38) In 2016, only three inspectors received refresher training.(11) The MLSS stated that an insufficient budget, inadequate training, and lack of transportation prevented it from effectively conducting inspections.(2, 11) The MLSS conducts labor inspections in registered private institutions only; it does not conduct investigations in unregistered institutions, as allowed by law and where child labor is more likely to be found.(1, 39) A referral mechanism exists through District Child Labor Committees that allows labor officers to refer cases to NGOs; however, not all districts have a committee.(14)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Zambia took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Yes (40)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Yes (11)

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Refresher Courses Provided	Yes (41)	Yes (41)
Number of Investigations	Unknown	Unknown
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (14)	Yes (11)

In 2016, the Government reported that insufficient training hampered criminal law enforcement.(11)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
MLSS	Coordinate Government efforts on issues of child labor, including its worst forms.(1)
MLSS-CLU	Coordinate with District Child Labor Committees in 26 of Zambia's 102 districts to increase local awareness and mobilize communities against child labor, including its worst forms.(1, 14)
Ministry of Youths, Sports, and Child Development's Child Development Department	Coordinate legislation on child labor.(2)
Zambia Police Service Child Protection Unit	Coordinate with the Ministry of Community Development, Mother, and Child Health to protect children from general abuse, including the worst forms of child labor.(1, 2)
District Child Labor Committees (DCLCs)	Respond to child labor complaints at the local level and file complaints to the MLSS. Serve as the main referral mechanism for social welfare services, a mechanism that is reported to be improving. Comprises the Zambia Police Service; the MLSS; the Ministry of Community Development, Mother, and Child Health; and civil society stakeholders.(1) The Government intends to establish Committees in all districts but lacks the resources to do so. DCLCs serve as the main referral mechanism for social welfare services, and it was reported that these mechanisms have been improving.(1, 14)

Due to overlapping responsibilities and communication lapses, individual agency mandates may not be effective in some cases.(19)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Child Labor Policy	Establishes an action plan and designates responsible agencies to address child labor issues.(1, 33, 42)
Revised Sixth National Development Plan (2013–2016)	Includes the eradication of the worst forms of child labor as a goal. Places emphasis on early childhood education and a child's right to education.(1, 14, 43)
National Employment and Labor Market Policy	Contains the elimination of child labor as a goal.(19, 44)
UNDAF (2016–2021)†	Identifies child labor as a pervasive problem in Zambia and seeks to prevent the worst forms of child labor and protect children.(45)

† Policy was approved during the reporting period.

In 2016, the National Action Plan for the Elimination of the Worst Forms of Child Labor expired and was not replaced.(11, 46) The Government has not included child labor elimination and prevention strategies in the Education

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Policy and the National Youth Policy.(1, 2) Efforts to implement the National Child Labor Policy have been restricted by inadequate funding.(32, 33) No new activities were undertaken to implement the National Child Labor Policy, Revised Sixth National Development Plan, and National Employment and Labor Market Policy during the reporting period, in large part due to poor funding.(32)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor†

Program	Description
USDOL-funded projects	<u>Empower: Increasing Economic and Social Empowerment for Adolescent Girls and Vulnerable Women in Zambia</u> . * \$5 million USDOL-funded, 4-year project implemented by Winrock International to reduce child labor in rural Zambia among adolescent girls, ages 15 to17, by increasing access to technical, vocational, entrepreneurial, and life skills training.(47) <u>Global Action Program on Child Labor Issues Project</u> , implemented by the ILO in approximately 40 countries, supports the priorities of the <i>Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016</i> established by the Hague Global Child Labor Conference in 2010. Aims to improve the evidence base on child labor and forced labor through data collection and research in Zambia.(48) Additional information is available on the USDOL <u>Web site</u> .
Achieving Reduction of Child Labor in Support of Education II (2015–2018)*	Japan Tobacco International-funded, 3-year global training program that provides strategies to reduce the worst forms of child labor in tobacco-growing communities in Brazil, Malawi, Tanzania, and Zambia.(49) In April 2016, Phase II of the project was launched in Zambia.(11, 50)
Social Cash Transfer Program†	Government program that provides funds to families and has been shown to increase school enrollment. Scaled up by the Government over time.(2, 14, 51, 52)
Strengthening Social Dialogue as an Effective Tool to Address the Worst Forms of Child Labour	Irish Aid-funded, five-country project, promotes social dialogue with the aim of reducing child labor.(53)
Decent Work Country Programme (2013–2016)	Government program with emphasis on human development, including social protection, child labor, forced labor, and human trafficking.(54)
Zambia National Service Skills Training Camps†	Government program that provides life-skills training camps for at-risk youth, including for victims of the worst forms of child labor.(19, 33)

* Program was launched during the reporting period.

† Program is funded by the Government of Zambia.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(1, 55)

Although Zambia has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Zambia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2016
	Harmonize legislation to ensure that penalties for child commercial sexual exploitation are consistent.	2009 – 2016
	Determine through statutory instrument the “school-going age” for compulsory education consistent with international law.	2012 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

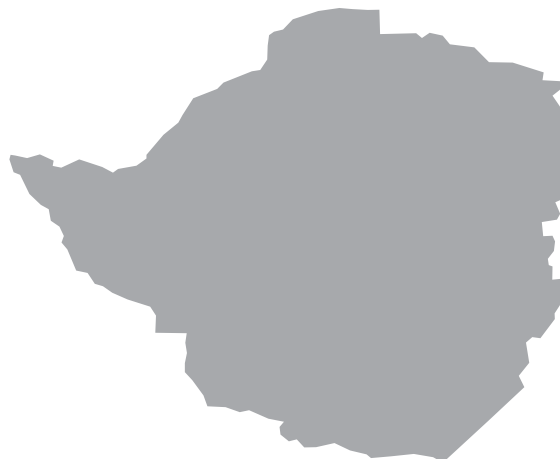
Area	Suggested Action	Year(s) Suggested
Enforcement	Make information publicly available on the number of child labor violations found, penalties imposed and collected, and whether desk review inspections were conducted.	2015 – 2016
	Increase the number of labor inspectors to meet the ILO recommendation.	2015 – 2016
	Ensure sufficient funding, human resources, and training for law enforcement agencies.	2010 – 2016
	Ensure that inspections cover all areas in which children work, including registered and unregistered businesses.	2013 – 2016
	Establish District Child Labor Committees in remaining districts.	2011 – 2016
	Make information publicly available on the number of criminal investigations conducted, violations found, prosecutions initiated, and convictions achieved.	2014 – 2016
Coordination	Improve lines of communication and clarify responsibilities among agencies to improve effectiveness and referrals to social services.	2011 – 2016
Government Policies	Develop a National Action Plan for the Elimination of the Worst Forms of Child Labor.	2016
	Integrate child labor elimination and prevention strategies into the Education Policy and National Youth Policy.	2013 – 2016
	Provide sufficient funding to implement the National Child Labor Policy.	2012 – 2016
Social Programs	Publish the data on child labor from the 2008, 2012, and 2014 Labour Force Surveys.	2011 – 2016
	Provide free education, as required by law, and address other barriers to education.	2012 – 2016
	Expand existing programs to address the scope of the child labor problem.	2011 – 2016

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In 2016, Zimbabwe made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government developed a *Trafficking in Persons National Plan of Action*, launched Phase III of the *National Action Plan for Orphans and Vulnerable Children*, and withdrew 178 children from child labor on plantations and sent them back to school. In addition, the Government operated a national case management system throughout 65 districts for child care workers to identify, report, and address child abuse cases, including child labor. However, children are engaged in the worst forms of child labor, including in commercial sexual exploitation and mining. Zimbabwe continues to lack specific social programs targeting sectors in which child labor is most prevalent. Gaps remain in the country's legal framework against child labor, such as lack of free basic education, which increases children's vulnerability.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Zimbabwe engage in the worst forms of child labor, including in commercial sexual exploitation and mining.(1-4) Data on key indicators on children's work and education are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		90.2

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2016.(5)
Data were unavailable from Understanding Children's Work Project's analysis, 2015.(6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of tea, cotton, tobacco, corn, and sugarcane (2, 3, 7-11)
	Fishing, including casting nets, hauling fish loads, and sorting fish (2, 3, 7, 8, 11)
	Forestry, such as dragging logs from felling sites and loading logs for transport (2, 3, 10, 11)
	Cattle herding (2, 7, 11)
Industry	Mining gold and chrome, and extracting material from underground passages and quarries [†] (2-4, 7, 12)
Services	Street work, including vending and begging (2, 3, 8-10)
	Domestic work (2, 3, 8, 10, 11, 13, 14)
Categorical Worst Forms of Child Labor [‡]	Use in illicit activities, including drug trafficking and gambling (3, 7)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2, 4, 7, 10, 11, 15, 16)
	Working in agriculture, mining for the production of gold and chrome, and domestic work, each as a result of human trafficking (4, 7, 15)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.

Zimbabwean children are trafficked to South Africa, Mozambique, and Zambia, where they become victims of commercial sexual exploitation and forced labor in domestic work. Zimbabwean children, especially orphans, are sometimes lured by relatives with the promise of education or adoption, but instead are recruited to work within the country as domestic workers or forced to work in mining, drug smuggling, or other illegal activities.(4) The deterioration of Zimbabwe's economy

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and manufacturing sector has also led to a recent increase in child labor.(8) A source indicates that local women in the suburb of Epworth organize child prostitution syndicates.(11)

According to UNICEF, approximately 100,000 of Zimbabwe's 1.3 million orphans survive on their own in child-headed households.(17) The breakdown of the family unit and poverty are major factors in children's vulnerability to child labor.(7, 17, 18) Citizenship is derived from birth, but many children, especially orphans and children living in rural areas, are not registered due to poverty and lack of awareness of the requirements.(7, 16) Beginning in grade seven, children are unable to sit for exams without a birth registration, leading some to enter the workforce at a young age.(7, 19) School fees are often prohibitively expensive and limit access to education.(8, 18) According to the UN, children with disabilities, especially in rural areas, experience greater abuse, violence, stigma, and exclusion, and, therefore, have limited access to education.(16)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Zimbabwe has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Zimbabwe's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Section 3 of the Labor Amendment Act (20)
Minimum Age for Hazardous Work	Yes	18	Section 11(4) of the Labor Act (20)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 11(4) of the Labor Act; Section 10A of the Children's Act (20, 21)
Prohibition of Forced Labor	Yes		Sections 54 and 55 of the Constitution; Section 4A of the Labor Act (20, 22)
Prohibition of Child Trafficking	Yes		Section 3 of the Trafficking in Persons Act (23)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 87 of the Criminal Law Act; Section 3 of the Sexual Offenses Act; Section 8(2) of the Children's Protection and Adoption Act; Section 3 of the Trafficking in Persons Act (7, 10, 21, 23, 24)
Prohibition of Using Children in Illicit Activities	Yes		Section 156 of the Criminal Law Act; Section 10 of the Children's Protection and Adoption Act (7)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Section 9 of the National Service Act (25)
State Voluntary	Yes	16	Sections 5 and 10 of the National Service Act (25)
Non-state Compulsory	No		
Compulsory Education Age	Yes	12 [‡]	Section 5 of the Education Act (26)
Free Public Education	No		

‡ Age calculated based on available information (27)

Zimbabwean law does not mandate free basic education for children.(28) Lack of access to basic education may increase the risk of children's involvement in child labor.(7) In addition, children in Zimbabwe are required to attend school only up to age 12. This standard makes children ages 12 through 15 vulnerable to child labor because they are not required to attend school and not legally permitted to work.(27)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Public Service, Labor, and Social Welfare (MPSLSW)	Enforce labor laws and investigate labor-related complaints, including complaints involving child labor. Established a Department for Child Welfare and Probation Services responsible for child protection services, including investigating, intervening in, and reporting on child abuse cases.(7, 10)
Zimbabwe Republic Police (ZRP)	Enforce laws related to the worst forms of child labor in conjunction with the MPSLSW and the Ministry of Justice and Home Affairs.(7) Address issues related to child labor through victim-friendly units in every district. Conduct transnational trafficking investigations through an anti-trafficking desk at Zimbabwe's INTERPOL office.(7)
Ministry of Justice and Legal Affairs	Oversee all courts, including labor courts. Address trafficking and child victim cases through victim-friendly courts.(7)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Zimbabwe took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown* (2)	Unknown* (11)
Number of Labor Inspectors	Unknown* (2)	120 (11)
Number of Child Labor Dedicated Inspectors	Unknown* (2)	3 (11)
Inspectorate Authorized to Assess Penalties	Unknown* (2)	No (11)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown* (2)	N/A (11)
Training on New Laws Related to Child Labor	Unknown* (2)	N/A (11)
Refresher Courses Provided	Yes (2)	Unknown* (11)
Number of Labor Inspections		
Number Conducted at Worksite	Unknown* (2)	866 (11)
Number Conducted by Desk Reviews	Unknown* (2)	Unknown (11)
Number of Child Labor Violations Found	Unknown* (2)	436 (11)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown* (2)	Unknown* (11)
Number of Penalties Imposed That Were Collected	Unknown* (2)	Unknown* (11)
Routine Inspections Conducted	Unknown* (2)	Yes (11)
Routine Inspections Targeted	Unknown* (2)	Yes (11)
Unannounced Inspections Permitted	Yes (2)	Yes (11)
Unannounced Inspections Conducted	Unknown* (2)	Yes (11)
Complaint Mechanism Exists	No (2)	Yes (11)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (11)

* The Government does not publish this information.

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During the year, the Government disaggregated the number of child labor cases, including its worst forms. The Ministry of Public Service, Labor, and Social Welfare (MPSLSW) reported cases involving Zimbabwean children: 304 of child labor, 66 of child prostitution, and 6 of child trafficking.(11) According to the MPSLSW, 132 children were withdrawn from the worst forms of child labor and referred to social services.(11)

According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Zimbabwe should employ roughly 540 labor inspectors.(29, 30) Research indicates that the Government continues to lack sufficient resources, mainly financial, to investigate child labor law violations.(2, 31)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Zimbabwe did not take actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown* (2)	Unknown* (11)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown* (2)	Unknown* (11)
Refresher Courses Provided	Unknown* (2)	Unknown* (11)
Number of Investigations	Unknown* (2)	Unknown* (11)
Number of Violations Found	Unknown* (2)	Unknown* (11)
Number of Prosecutions Initiated	Unknown* (2)	Unknown* (11)
Number of Convictions	Unknown* (2)	Unknown* (11)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown* (2)	Yes (11)

* The Government does not publish this information.

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Steering Committee to Address the Worst Forms of Child Labor	Address the worst forms of child labor. Chaired by the MPSLSW and includes several government ministries, including the ministries of Health and Child Care; Primary and Secondary Education; and Youth Development, Indigenization, and Empowerment.(32) Also includes international organizations and civil society groups, such as workers' and employers' organizations.(32, 33) The committee did not meet during the year.(11)
Ministry-Level Committee on Children's Issues	Coordinate government ministries' efforts related to children's issues, including child labor. Includes the MPSLSW and the ministries of Education; Women's Affairs; and Youth Development, Indigenization, and Empowerment.(7, 10, 32) The committee met during the year.
Child Protection Committees	Operate at the village, ward, district, provincial, and national levels to discuss issues affecting children, including child labor. Representatives include ministries, civil society, local volunteers, and teachers. Report to the Ministry-Level Committee on Children's Issues. The committees met regularly during the year.(11)
National Task Force on Street Children	Outline strategies to combat child labor, including feeding street children at drop-in centers, reuniting children with their families, and offering counseling sessions. Chaired by the MPSLSW and includes NGOs that work on street children's issues.(7, 32) Also includes the Ministry of Home Affairs, represented by the ZRP. The taskforce met twice during the year.(11)
Anti-Trafficking Inter-Ministerial Committee	Create a national action plan to combat human trafficking and promote the reintegration and rehabilitation of trafficking victims, including children.(2, 34) The Committee met during the year to discuss and develop strategies to address trafficking in persons. In 2016, developed and launched the Trafficking in Persons National Plan of Action.(11)

During the year, the MPSLSW oversaw a national case management system that is operational in all 65 districts for child care workers to identify, report, and address child abuse cases, including child labor.(11)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Child Labor	Strengthens understanding about child labor issues and creates an entity to coordinate responses to the findings of this analysis. Consists of three focus areas: education assistance, poverty assistance through a cash transfer scheme, and health assistance.(7)
Trafficking in Persons National Plan of Action (2016–2018)	Aims to implement the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons through the development of strategies to combat human trafficking, with emphasis on prevention, protection, prosecution, and partnership. The plan was developed with technical support from IOM, UNODC, and the Southern African Development Community, and officially launched in July 2016.(35)

Although the MPSLSW, in collaboration with the ILO, previously conducted a child labor rapid assessment that prompted the development of the National Action Plan to Combat Child Labor, the Government took no actions to operationalize the plan and did not use the results of the assessment to inform policies or programs.(2)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that may contribute to the prevention or elimination of child labor (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Phase III of the National Action Plan for Orphans and Vulnerable Children (NAP OVC III) (2016–2020)	UNICEF Child Protection Fund program that includes a focus on equity and access to quality education for children and provides child protection services. Provides a cash transfer program that encourages families to keep children in school.(36) During the year, cash transfers reached at least 52,000 poor households in 19 districts, and provided child protection and welfare services to 35,460 children in 37 districts.(11)
Stop Child Labor Program	Hivos-funded program that establishes child labor-free zones throughout the country. The program includes the Ministry of Labor, Coalition Against Child Labor in Zimbabwe, African Network for the Prevention and Protection Against Child Abuse and Neglect, Progressive Teachers Union of Zimbabwe, Zimbabwe Teachers' Association, and the General Agriculture and Plantation Workers Union.(11) Teachers, labor inspectors, police officers, and other stakeholders support this initiative by sending child laborers back to school.(37) During the year, the program developed a social responsibility project to address child labor in plantations, resulting in 178 children being withdrawn from child labor and sent back to school.(11)
Basic Education Assistance Module†	Government program, supported by the UK Department for International Development, that provides basic financial assistance to families for education costs, such as tuition and examination fees. Aims to keep children in school and to enroll children who lack access to school as a result of economic hardship.(38)

† Program is funded by the Government of Zimbabwe.

The Zimbabwe Youth Council, in collaboration with UNICEF, developed an online platform for sharing and educating the public about harmful social practices that affect children.(39) Although Zimbabwe has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Zimbabwe (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Ensure that the age up to which education is compulsory is the same as the minimum age for work.	2016
	Ensure that the law establishes free basic education for children through age 15.	2009 – 2016
Enforcement	Increase the number of labor law inspectors to provide sufficient coverage of the workforce to meet the ILO recommendation.	2016
	Ensure adequate funding, human resources, and training for the labor inspectorate to conduct child labor inspections.	2009 – 2016
	Publish information about the labor inspectorate’s funding, training, and the penalties collected.	2016
	Publish information about the training system for criminal investigators, the number of criminal investigations, the number of prosecutions initiated, and the number of convictions achieved.	2015 – 2016
Coordination	Ensure that the National Steering Committee meets regularly to address the worst forms of child labor.	2016
Government Policies	Implement the National Action Plan to Combat Child Labor.	2010 – 2016
Social Programs	Ensure that children are registered at birth to facilitate their entrance into secondary school.	2014 – 2016
	Ensure that children with disabilities have equal access to education.	2016
	Expand existing programs to address the scope of the child labor problem.	2010 – 2016

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Non-Independent Countries and Territories

There is limited information regarding child labor and government efforts to combat it in non-independent countries and territories eligible for GSP benefits. Obtaining data on the prevalence and distribution of the worst forms of child labor in these countries is difficult, and statistics on children's work and school attendance are often not available from the sources used in this report. In some cases, there is no evidence to suggest that the worst forms of child labor exist in certain territories. In these cases, when laws appear to meet the guidelines called for in ILO C. 182 and embodied in the TDA, and when the territory has a good enforcement framework, no suggested actions have been included.

With regard to ratification of key international conventions concerning child labor, these non-independent countries and territories generally are not eligible to become members of the ILO. However, although they are not members of the ILO, ILO C. 138 and ILO C. 182 may apply to some of them.(1, 2) Similarly, ratification of other conventions, such as the UNCRC, may apply to some of them.

Across non-independent countries and territories, research found a variety of legal structures that govern laws and regulations related to child labor, including its worst forms. Some territories are self-governing, except in the areas of foreign affairs and defense. Domestic laws in the metropolis do not generally apply to these territories, unless explicitly extended. In other territories, certain domestic laws of the metropolis apply, and in a few territories, all domestic laws in the metropolis apply.

Research found some information on the efforts of non-independent countries and territories in the areas of laws and regulations, enforcement, coordination, policies, and programs; however, this information, in many cases, was limited.

Assessments

Evidence suggests that the worst forms of child labor are an issue in some non-independent countries and territories. These entities are assessed in the same manner

that all other countries are assessed in this report. Other non-independent countries and territories do not appear to have a problem with the worst forms of child labor. These entities fall into three types.

The first type of non-independent country or territory is one in which the population of children is either non-existent or extremely small (fewer than 60). For this reason, ILAB does not write profiles on these territories. The three territories that fit this category are Heard and McDonald Islands, the Pitcairn Islands, and the British Indian Ocean Territories/Chagos Archipelago. The Heard and McDonald Islands are uninhabited, and the population of the Pitcairn Islands is fewer than 54 people.(3) The British Indian Ocean Territories/Chagos Archipelago is inhabited by U.S. and U.K. military personnel.(4)

The second type of non-independent country or territory is one with no evidence of a worst form of child labor problem and with a good legal and enforcement framework. Given both the lack of a demonstrated problem and the presence of a preventive legal and enforcement framework, ILAB does not assess the efforts of or include suggested actions for these territories. Such entities will be marked "No Assessment." Wallis and Futuna was the only territory not assessed in 2016.

The third type of non-independent country or territory is one assessed by advancement. A country or territory in this group received an assessment of advancement indicating whether it was making Significant, Moderate, Minimal, or No Advancement in its efforts to prevent or eliminate the worst forms of child labor. For 2016, Western Sahara received an assessment of Significant Advancement; Anguilla, the British Virgin Islands, Cook Islands, the Falkland Islands (Islas Malvinas), Montserrat, Norfolk Island, Saint Helena, Ascension, and Tristan da Cunha, and the West Bank and the Gaza Strip received an assessment of Minimal Advancement; and Christmas Island, Cocos (Keeling) Islands, Niue, and Tokelau received an assessment of No Advancement.

1. ILO. *Constitution of the International Labour Organization*; 1948. http://www.ilo.org/dyn/normlex/en/P?p=1000:62:0::NO:62:P62_LIST_ENTRIE_ID:2453907:NO. Most of the areas covered in the summary report are considered non-metropolitan territories and are therefore ineligible to become members of the ILO. While the ILO still does not have an official definition for "non-metropolitan territory," in earlier versions of the ILO Constitution, "colonies, protectorates and possessions which are not fully self governing" was used in place of this term. An ILO member can submit a declaration to the ILO requesting that these conventions apply to their non-metropolitan areas. See the chart regarding ratifications of international conventions and selected non-independent country and territory laws.

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CHRISTMAS ISLAND

NO ADVANCEMENT

In 2016, Christmas Island made no advancement in efforts to prevent the worst forms of child labor. Although research found no evidence that child labor, including the worst forms, exists in Christmas Island, a gap in the legal framework for light work leaves children vulnerable to involvement in the worst forms of child labor.

COCOS (KEELING) ISLANDS

NO ADVANCEMENT

In 2016, the Cocos (Keeling) Islands made no advancement in efforts to eliminate the worst forms of child labor. Although research found no evidence that child labor, including its worst forms, exists in the Cocos (Keeling) Islands, gaps exist in the legal framework to prevent children from involvement in the worst forms of child labor, including a minimum age for light work that is below international standards.

NORFOLK ISLAND

MINIMAL ADVANCEMENT

In 2016, Norfolk Island made a minimal advancement in efforts to prevent the worst forms of child labor. In June, the Norfolk Island Administration Act went into effect, which established that New South Wales state laws apply to Norfolk Island; this raised the compulsory education age to 17 years. Although research found no evidence that child labor, including its worst forms, exists on Norfolk Island, gaps in the legal framework fail to prevent children from involvement in the worst forms of child labor. Legislation does not prescribe a minimum age for employment, prohibit hazardous work for children, or fully protect minors under age 18 from commercial sexual exploitation.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR


Research found no evidence that child labor, including its worst forms exists on Christmas Island, Cocos (Keeling) Islands, or Norfolk Island.(1, 2)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Christmas Island (CI), Cocos (Keeling) Islands (CKI), and Norfolk Island (NI) are included as part of the territory of the Australian Commonwealth, which provides for their defense.(1, 3-6) According to the Government of Australia, the extent to which legislation, including laws implementing Australia's treaty obligations, applies to these external territories varies.(7) For Christmas Island and Cocos (Keeling) Islands, all legislation of the Federal Parliament applies, unless specifically excluded.(7) For Norfolk Island, legislation of the Federal Parliament applies only if it is clearly stated to do so or if it is obvious from the legislation in question that it was intended to do so.(7) Thus these territories follow a combination of their own laws and some of the laws of Australia.(7)



Because Australia has ratified most key international conventions concerning child labor, the following conventions apply to Christmas Island, Cocos (Keeling) Islands and Norfolk Island (Table 1).

Table 1. Ratification of International Conventions on Child Labor

Convention	Ratifications		
	CI	CKI	NI
 ILO C. 138, Minimum Age			
ILO C. 182, Worst Forms of Child Labor	✓	✓	✓

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Table 1. Ratification of International Conventions on Child Labor (cont)

Convention		Ratifications		
		CI	CKI	NI
	UN CRC	✓	✓	✓
	UN CRC Optional Protocol on Armed Conflict	✓	✓	✓
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓	✓	✓
	Palermo Protocol on Trafficking in Persons	✓	✓	✓

CHRISTMAS ISLAND AND COCOS (KEELING) ISLANDS

Christmas Island and Cocos (Keeling) Islands are subject to the laws and regulations related to child labor, including its worst forms, of the Commonwealth of Australia and the state of Western Australia.(1)

Table 2. Laws and Regulations on Child Labor

CHRISTMAS ISLAND/COCOS (KEELING) ISLANDS			
Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Section 190 of the Western Australia Children and Community Services Act (8)
Minimum Age for Hazardous Work	Yes	18	Section 10.4 of the Western Australia Mines Safety and Inspection Regulations (9)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 10.4 of the Western Australia Mines Safety and Inspection Regulations (9)
Prohibition of Forced Labor	Yes		Sections 270.6–270.7 of the Commonwealth Criminal Code Act of Australia; Sections 270.6-270.7 and 271.9 of the Crimes Legislation Amendment Act (10, 11)
Prohibition of Child Trafficking	No		Sections 271.2–271.7 of the Commonwealth Criminal Code Act of Australia (10)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 16 of the Western Australia Prostitution Act; Section 192 of the Western Australia Children and Community Services Act; Sections 271.2–271.7 and 273.1 of the Commonwealth Criminal Code Act of Australia (8, 10, 12)
Prohibition of Using Children in Illicit Activities	No		Sections 309–310 of the Commonwealth Criminal Code Act of Australia (10)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		Canberra Act 2600 (13)
State Voluntary	Combat: Yes	18	Canberra Act 2600 (13)
	Non-Combat: Yes	17	
Non-state Compulsory	No		
Compulsory Education Age	Yes	17.5	Section 6 of the Western Australia School Education Act (14)
Free Public Education	Yes		Section 98 of the Western Australia School Education Act (14)

* No conscription (13)

In Christmas Island and Cocos (Keeling) Islands, the Government of Western Australia's Children and Community Services Act sets the minimum age for light work in delivery employment at 10 years if the child is accompanied by a parent or an authorized adult.(8)

This is not in compliance with international standards, which set the minimum age for light work at 13.

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Research found that laws related to child trafficking and illicit activities are not sufficient as trafficking across international borders is not a criminal offence and the use of children in the production of drugs is not explicitly criminalized.(10)

For Christmas Island and Cocos (Keeling) Islands, the Western Australia School Education Act notes that education is compulsory until the end of the year in which a child reaches age 17 years and 6 months; until the child finishes the minimum requirements for secondary school graduation under the Curriculum Council Act of 1997; or until the child reaches age 18, whichever comes first.(14)

NORFOLK ISLAND

Norfolk Island is a self-governing territory of Australia and is subject to the child labor laws of the Commonwealth of Australia and its own laws.(15, 16) The Government has established laws and regulations related to child labor, including its worst forms (Table 2).

NORFOLK ISLAND			
Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No		Art. 24 of the Norfolk Island Employment Act (17)
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Sections 270.6–270.7 of the Commonwealth Criminal Code Act of Australia; (10)
Prohibition of Child Trafficking	Yes		Sections 271.2–271.7 of the Commonwealth Criminal Code Act of Australia (10)
Prohibition of Commercial Sexual Exploitation of Children	No		Section 270.6 of the Commonwealth Criminal Code Act of Australia; Section 93N of the Criminal Law Amendment Act; and Articles 122-125 of the Norfolk Island Criminal Code Act (10, 18, 19)
Prohibition of Using Children in Illicit Activities	No		Section 305 of the Norfolk Island Criminal Code Act 2007 (19)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		Canberra Act 2600 (13)
State Voluntary	Combat: Yes Non-Combat: Yes	18 17	Canberra Act 2600 (13)
Non-state Compulsory	No		
Compulsory Education Age	Yes	17	Section 21(B) of the New South Wales Education Act (20)
Free Public Education	Yes		Section 31 of the New South Wales Education Act (20)

* No conscription (13)

Norfolk Island does not have a minimum age for work. Under the Norfolk Island Employment Act, children younger than age 15 may begin working with certain limitations.(15, 17) This is not in compliance with international standards because it allows the employment of children under the age of 15. It also fails to meet international standards because it is lower than the compulsory age for education and may increase the risk of children's involvement in the worst forms of child labor.

In addition, the Government is not in compliance with international standards as it does not have a minimum age for hazardous work, has not identified hazardous occupations prohibited for children, does not protect children age 16 and 17 from commercial sexual exploitation, and has not criminalized the use of children illicit activities, including in the production of drugs.(19)

On June 1, 2016, the Norfolk Island Administration Act went into effect, which established that New South Wales (NSW) state laws apply to Norfolk Island. This includes raising the compulsory education age to 17.(2, 21, 22) While this legislation

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has the potential for improving legal protections for children engaged in child labor, including its worst forms, it is unclear how and when NSW's child labor laws will be implemented on Norfolk Island.(2, 21)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

Although there is no evidence of a problem, the Government of Australia has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms, which apply to Christmas Island, Cocos (Keeling) Islands, and Norfolk Island. Additionally, Norfolk Island has its own institutional mechanisms to enforce labor laws and regulations on child labor (Table 3).

Table 3. Agencies Responsible for Child Labor Law Enforcement

CHRISTMAS ISLAND/COCOS (KEELING) ISLANDS	
Organization/Agency	Role
Australian Federal Police, the Department of Immigration, and the Department of Regional Development	Enforce criminal laws related to the worst forms of child labor.(23) In the case of the Child Protection Operations Team, coordinate and investigate online and multijurisdictional online child sex exploitation issues, including child pornography.(24) In the case of Human Trafficking Teams, investigate human trafficking for the purpose of transnational sexual and labor exploitation.(23)
Australian Department of Child Protection	Issue orders to stop a child from working if there is a risk of harm.(25)

Western Australian WorkSafe Inspectors provide services on Christmas Island and Cocos (Keeling) Islands, where they have the right to enter, at any time, any workplace including aircraft, ships, and vehicles where employees work or are likely to be in the course of their work. Inspectors have unrestricted access to workplaces, except where there is a statutory restriction, to determine whether employers are in compliance with the Occupational Safety and Health Act.(2, 26)

NORFOLK ISLAND	
Organization/Agency	Role
Norfolk Island Employment Inspectors and Child Welfare Officers	Monitor the employment of young workers and take action with regard to their protection. Work to prevent the production of child pornography.(23)
Australian Federal Police	Responsible for law enforcement services on Norfolk Island, including combating transnational crimes.(27, 28)

Prior to June 1, 2016, Norfolk Island employed approximately two labor inspectors to conduct regular workplace inspections; however, New South Wales (NSW) assumed social service responsibilities once NSW laws went into effect. (2)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

Although there is no evidence of a problem, the Government of Australia has established a mechanism to address child labor, including its worst forms, in Christmas Island, Cocos (Keeling) Islands, and Norfolk Island (Table 4).

Table 4. Key Mechanisms to Coordinate Government Efforts on Child Labor

CHRISTMAS ISLAND/COCOS (KEELING) ISLANDS/NORFOLK ISLAND	
Coordinating Body	Role & Description
Interdepartmental Committee on Human Trafficking	Chaired by the Attorney General's Department, deals with child labor issues from a human trafficking perspective and consists of 10 government agencies.(16)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor, including its worst forms in Christmas Island, Cocos (Keeling) Islands, and Norfolk Island.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor, including its worst forms in Christmas Island, Cocos (Keeling) Islands, and Norfolk Island.

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VII. SUGGESTED GOVERNMENT ACTIONS TO PREVENT THE WORST FORMS OF CHILD LABOR

Based on the reporting above, a suggested action is identified that would advance the continued prevention of child labor, including its worst forms, in Christmas Island, Cocos (Keeling) Islands, and Norfolk Island (Table 5).

Table 5. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms

CHRISTMAS ISLAND/COCOS (KEELING) ISLANDS		
Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify ILO Convention 138.	2016
	Raise the minimum age for all light work to 13 to comply with international standards.	2015 – 2016
	Ensure that laws related to child trafficking criminalize the trafficking of children across international borders.	2016
	Ensure that laws related to illicit activities criminalize the use of children in the production of drugs.	2016
	Ensure that the law criminally prohibits the recruitment of children under 18 into non-state armed groups.	2016
NORFOLK ISLAND		
Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify ILO Convention 138.	2016
	Establish a minimum age for work of 17 to comply with international standards.	2016
	Establish laws to prohibit children under age 18 from engaging in hazardous work and identify hazardous occupations and activities prohibited for children in consultation with employers' and workers' organizations.	2010 – 2016
	Enact legislation to expressly prohibit the use of children for commercial sexual exploitation, including prostitution.	2016
	Ensure that laws related to illicit activities criminalize the use of children in the production of drugs.	2016
	Ensure that the law criminally prohibits the recruitment of children under 18 into non-state armed groups.	2016
	Publish information on the applicability and implementation of New South Wales's child labor laws.	2016

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WALLIS AND FUTUNA

NO ASSESSMENT

For the 2016 reporting period, no assessment has been made regarding Wallis and Futuna's efforts to advance the elimination of the worst forms of child labor because there is no evidence of a worst forms of child labor problem and the country has good legal and enforcement frameworks on child labor.




I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor, including its worst forms, exists in Wallis and Futuna. Wallis and Futuna has a population of 12,200 inhabitants, including 3,420 children.(1, 2)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Wallis and Futuna is considered a French Overseas Collectivity and therefore Wallis and Futuna cannot ratify international conventions; however, France's ratification of such conventions applies to Wallis and Futuna.(3) France has ratified all key international conventions concerning child labor (Table 1).

Table 1. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

French law applies in Wallis and Futuna.(1, 4) The Government of France has established laws and regulations on child labor, including its worst forms (Table 2). However, gaps exist in Wallis and Futuna's legal framework to adequately protect children from child labor.

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Article 118 of Labor Code of Wallis and Futuna (5)
Minimum Age for Hazardous Work	Yes	18	Article 115 of the Labor Code of Wallis and Futuna (5)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles R234-6 of the Labor Code; Decree No. 2013-915, Relative to Work That is Prohibited and Regulated for Young People Less Than 18 Years (6, 7)
Prohibition of Forced Labor	Yes		Articles 212-1, 224-1, 225-4-1, 225-14-1, 225-14-2, and 711-1 of the Penal Code; Article 2 of the Labor Code of Wallis and Futuna (5, 8)
Prohibition of Child Trafficking	Yes		Articles 225-4-1 to 225-4-9, and 711-1 of the Penal Code (8)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 225-5 to 12 and 711-1 of the Penal Code (8)
Prohibition of Using Children in Illicit Activities	Yes		Articles 222-35, 227-15 to 227-28-3, and 711-1 of the Penal Code (8)

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Table 2. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	N/A		
Non-state Compulsory	No		Articles 461-7 of the Penal Code (8)
Compulsory Education Age	Yes	16	Articles L131-1 and L161-1 of the Education Code of France (9)
Free Public Education	Yes		Articles L132-1, L132-2, and L161-1 of the Education Code of France (9)

* No conscription.(10, 11)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

Even with no evidence of a problem, the Government of France has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 3).

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Service of Labor and Social Affairs Inspection (SITAS) of Wallis and Futuna	Enforce labor laws and report violations involving children to local social assistance personnel.(1, 2)
Defender of Rights	Promote children's rights, including through the prohibition of child labor.(12)
French National Police	Oversee the health and safety of children.(1)

As there is no evidence of a problem, there appears to be no need for enforcement actions to address child labor, including its worst forms.

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address child labor, including its worst forms.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor, including its worst forms.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for social programs to address child labor, including its worst forms.

VII. SUGGESTED GOVERNMENT ACTIONS TO PREVENT THE WORST FORMS OF CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor, including its worst forms, in Wallis and Futuna (Table 4).

Table 4. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016

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Overseas Territories of New Zealand

COOK ISLANDS

MINIMAL ADVANCEMENT

In 2016, the Cook Islands made a minimal advancement in efforts to prevent the worst forms of child labor. The Government continued its participation in the UN Development Assistance Framework for the Pacific Region, which includes youth initiatives related to access to education and security in the Cook Islands. Although research found no evidence that child labor, including its worst forms, exists in the Cook Islands, gaps in the Government's legal framework may make children more vulnerable to being exploited for the production of pornography or pornographic performances and being used in illicit activities.

NIUE

NO ADVANCEMENT

In 2016, Niue made no advancement in efforts to prevent the worst forms of child labor. While there is no evidence that child labor, including its worst forms, exists in Niue, the Government has not established adequate legal protection to prevent the worst forms of child labor. The law does not criminally prohibit the use, procuring, or offering of a child for prostitution, the production of pornography, or pornographic performances or the use of children for illicit activities, including for the production and trafficking of drugs. In addition, Niue has not established a minimum age for work and lacks a law that prohibits hazardous occupations and activities for children.

TOKELAU

NO ADVANCEMENT

In 2016, Tokelau made no advancement in efforts to prevent the worst forms of child labor. While Tokelau has laws to prohibit the commercial sexual exploitation of children and the use of children in illicit activities, it does not have laws that establish a minimum age for work and prohibit forced labor and child trafficking.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor, including its worst forms, exists in the Cook Islands, Niue, and Tokelau.

(1) Table 1 provides key statistics on one key indicator on children's education in the Cook Islands, the only New Zealand territory for which information is available. Data on key indicators for Niue and Tokelau are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Territory		
		Cook Islands	Niue	Tokelau
Working (% and population)	5 to 14	Unavailable	Unavailable	Unavailable
Attending School (%)	5 to 14	Unavailable	Unavailable	Unavailable
Combining Work and School (%)	7 to 14	Unavailable	Unavailable	Unavailable
Primary Completion Rate (%)		93.8%	Unavailable	Unavailable

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(2)

Data were unavailable from Understanding Children's Work Project's analysis, 2016.(3)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

COOK ISLANDS

The Cook Islands is a self-governing territory in free association with New Zealand, and follows a combination of its own laws and some of the laws of New Zealand and the United Kingdom that were enacted prior to self-government in 1965.(4, 5)

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Since 1988, no treaty signed, ratified, accepted, approved, or acceded to by New Zealand extends to the Cook Islands, unless New Zealand acted expressly on behalf of the Cook Islands.(4) The Cook Islands has ratified one key international convention concerning child labor (Table 2).

NIUE




Niue is a self-governing territory of New Zealand and is fully responsible for its internal affairs.(6) Niue has ratified one key international convention concerning child labor (Table 2).

Since 1988, no treaty signed, ratified, accepted, approved, or acceded to by New Zealand extends to Niue, unless it was done expressly on behalf of Niue.(4)

TOKELAU

Tokelau is a dependent territory of New Zealand; however, international treaties are applied only with the consent of the Government of Tokelau. New Zealand's ratification of conventions does not apply automatically to Tokelau, and it is unknown which international treaties Tokelau has consented to.(4, 7, 8)

Table 2. Ratification of International Conventions on Child Labor

Convention	Ratifications		
	CI	CKI	NI
 ILO C. 138, Minimum Age			
ILO C. 182, Worst Forms of Child Labor			
 UN CRC	✓	✓	
UN CRC Optional Protocol on Armed Conflict			
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography			
 Palermo Protocol on Trafficking in Persons			

The Governments of the Cook Islands, Niue, and Tokelau have established laws and regulations related to child labor, including its worst forms (Table 3).

There are no armed forces in the Cook Islands, Niue, and Tokelau.(9, 10) New Zealand is responsible for the defense of the territories at their request and consultation.(9)

Table 3. Laws and Regulations on Child Labor

COOK ISLANDS			
Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	13	Article 30.1 of the Employment Relations Act (11)
Minimum Age for Hazardous Work	Yes	18	Article 73.2 of the Employment Relations Act (11)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 73 of the Employment Relations Act; Articles 52-53 of the Industrial and Labor Ordinance (11, 12)
Prohibition of Forced Labor	Yes		Article 3 of the Prohibition of Forced or Compulsory Labor Ordinance; Article 109I of the Crimes Amendment Act (13, 14)
Prohibition of Child Trafficking	Yes		Article 109I of the Crimes Amendment Act (14)
Prohibition of Commercial Sexual Exploitation of Children	No		Article 109I of the Crimes Amendment Act (14)
Prohibition of Using Children in Illicit Activities	No		

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Table 3. Laws and Regulations on Child Labor (cont)

COOK ISLANDS			
Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Military Recruitment			
State Compulsory	N/A*†		
State Voluntary	Yes	18	Articles 36 and 37 of the Government of New Zealand's Defense Act (15)
Non-state Compulsory	No		
Compulsory Education Age	Yes	16	Article 23.1 of the Education Act (16)
Free Public Education	Yes		Article 22.2 of the Education Act (16)

* No conscription (15)

† No standing military

In 2012, the Cook Islands enacted the Employment Relations Act, which prohibits children younger than age 13 from being employed.(11, 17) The Act also prohibits a school-aged person, defined as ages 13 to 16, from working during normal school hours, working for more than 10 hours a week outside of school hours, or doing work that is not considered light work.(11) However, the minimum age for work is not in compliance with international standards because the Employment Relations Act permits children as young as age 13 to work.(11)

The Cook Islands' Crimes Act and the 2004 Amendment prohibit prostitution, but do not address child commercial sexual exploitation, including the use, procuring, or offering of children for the production of pornography and for pornographic performances.(5, 14, 18, 19) In 2010, the Cook Islands began a comprehensive review of the Crimes Act to amend provisions to include criminalizing child prostitution and child pornography.(18, 20) The Act has yet to be modified.(1) A draft Family Law Bill, which will include legislation on child protection, has been pending since 2014.(1) Laws specifically prohibiting the use of children for illicit activities and recruitment by non-state armed groups do not exist.(1, 21)

NIUE			
Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No		
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	No		
Prohibition of Child Trafficking	No		Article 37 of the Terrorism Suppression and Transnational Crimes Act (22)
Prohibition of Commercial Sexual Exploitation of Children	No		
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Military Recruitment			
State Compulsory	N/A*†		
State Voluntary	Yes	17	Article 33 of the Government of New Zealand's Defense Act (15)
Non-state Compulsory	No		
Compulsory Education Age	Yes	16	Articles 2 and 24 of the Education Act (23)
Free Public Education	Yes		Article 19 of the Education Act (23)

* No conscription (24)

† No standing military

Although Niue's Public Service Regulations prohibit the permanent employment of any person under age 18 in public service, minimum age protections do not apply to children working in the private sector.(21, 25) In addition, Niue has not

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determined by national law or regulation the minimum age for work and hazardous work or the types of hazardous work prohibited for children.(21, 26)

In Niue, laws related to forced labor are not sufficient as only trafficking in persons, and not debt bondage or slavery, is prohibited. Niue’s law prohibiting child trafficking is also insufficient as it does not criminalize the trafficking of children for commercial sexual exploitation or forced labor.(22) Commercial sexual exploitation of children, including the use, offering, or procurement of a child for prostitution, production of pornography, or pornographic performances, is not criminally prohibited. Research also has not identified laws regarding the use of children in illicit activities, including in the production and trafficking of drugs, and recruitment by non-state armed groups.(21)

TOKELAU			
Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No		
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Rules 52 and 53 of the Schedule of Transtok Tokelau Corporation Rules (27)
Prohibition of Forced Labor	No		
Prohibition of Child Trafficking	No		
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 25 of the Tokelau Crimes, Procedures, and Evidence Rules Act (28)
Prohibition of Using Children in Illicit Activities	Yes		Articles 49–50 of the Tokelau Crimes, Procedures, and Evidence Rules Act (28)
Minimum Age for Military Recruitment			
State Compulsory	N/A*†		
State Voluntary	Yes	17	Article 33 of the Government of New Zealand’s Defense Act (15)
Non-State Compulsory	No		
Compulsory Education Age	Yes	16	Article 63(1) of the Tokelau Crimes, Procedures, and Evidence Rules Act (28, 29)
Free Public Education	Yes		Legislation title unknown (29)

* No conscription (24)

† No standing military

Tokelau has not determined by national law or regulation the minimum age for work or the minimum age for hazardous work. Tokelau also has not established laws related to forced labor, including debt bondage. In addition, laws related to child trafficking do not exist.(21)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

Even though there is no evidence of a problem, the Governments of the Cook Islands, Niue, and Tokelau have established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 4).

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Table 4. Agencies Responsible for Child Labor Law Enforcement

COOK ISLANDS	
Organization/Agency	Role
Ministry of Internal Affairs and Social Services, Labor and Employment Relations Office	Provide child services.(1) In the case of the Labor and Consumer Affairs Division, implement child labor laws in the Cook Islands.(30)
Cook Islands Police Service	Enforce child labor laws.(1)

NIUE	
Organization/Agency	Role
Niue Police Department	Enforce all laws, including those related to child labor, including its worst forms.(1)
Department of Justice	Investigate crimes, including cases involving the worst forms of child labor.(1)

TOKELAU	
Organization/Agency	Role
New Zealand Ombudsmen	Address citizens' complaints against a government office related to child labor, child health, safety, and education.(30)

As there is no evidence of a problem, there appears to be no need for enforcement actions to address child labor, including its worst forms, in the Cook Islands, Niue, and Tokelau.

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for mechanisms to coordinate efforts to address the worst forms of child labor, including its worst forms, in the Cook Islands, Niue, and Tokelau.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

Even though there is no evidence of a problem, the Government of the Cook Islands has an established policy related to child labor, including its worst forms (Table 5).

Table 5. Key Policies Related to Child Labor

COOK ISLANDS	
Policy	Description
Cook Islands National Youth Policy (2015–2020)	Identifies priority areas for youth, including education and work opportunities, health, and youth risk and resilience.(31)

In 2015, the Cook Islands released a youth study that indicated that children and young adults ages 15 through 24 were employed as laborers and in restaurants, accommodations, offices, and other areas in the Cook Islands; however the report did not specifically address whether children under age 18 were involved in child labor, including its worst forms.(32) In addition, the Government has not included child labor elimination and prevention strategies into the Country Partnership Framework and UN Development Assistance Framework.(33)

VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem in the Cook Islands, Niue, and Tokelau, there appears to be no need for programs to address child labor, including its worst forms.

VII. SUGGESTED GOVERNMENT ACTIONS TO PREVENT THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the continued prevention of child labor, including its worst forms, in the Cook Islands, Niue, and Tokelau (Table 6).

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Table 6. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

COOK ISLANDS		
Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify ILO Conventions 138 and 182; UN CRC Optional Protocol on Armed Conflict; UN CRC Protocol on the Sale of Children, Child Prostitution and Child Pornography; and the Palermo Protocol on Trafficking in Persons.	2016
	Raise the minimum age for work from 13 to 15 to comply with international standards.	2016
	Ensure the Crimes Act addresses and criminalizes commercial child sexual exploitation, including the use, procuring, and offering of children for the production of pornography and for pornographic performances.	2012 – 2016
	Ensure the law prohibits the use of children in illicit activities, including the production and trafficking of drugs.	2015 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 into non-state armed groups.	2016
Government Policies	Clarify whether children identified in the youth study were involved in child labor, including its worst forms.	2015 – 2016
NIUE		
Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify ILO Conventions 138 and 182; UN CRC Optional Protocol on Armed Conflict; UN CRC Protocol on the Sale of Children, Child Prostitution and Child Pornography; and the Palermo Protocol on Trafficking in Persons	2016
	Enact a minimum age for work of at least 15 years.	2013 – 2016
	Establish a minimum age for hazardous work as 18 and determine the types of hazardous work prohibited for children under 18 in consultation with employers' and workers' organizations.	2013 – 2016
	Ensure that laws criminally prohibit the use, procuring, or offering of a child for prostitution, the production of pornography, or pornographic performances.	2016
	Ensure that laws prohibit trafficking of children domestically and internationally for commercial sexual exploitation and forced labor, and do not require the use of force to be established for the crime of trafficking.	2016
	Ensure that laws criminally prohibit forced labor, including debt bondage, the sale and trafficking of children, and slavery.	2016
	Ensure that laws criminally prohibit the use of children for illicit activities, including for the production and trafficking of drugs.	2013 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 into non-state armed groups.	2016
TOKELAU		
Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify ILO Conventions 138 and 182; UN CRC; UN CRC Optional Protocol on Armed Conflict; UN CRC Protocol on the Sale of Children, Child Prostitution and Child Pornography; and the Palermo Protocol on Trafficking in Persons.	2016
	Establish 18 as the minimum age for hazardous work.	2016
	Establish a minimum age for work of at least 15 years.	2016
	Ensure that laws prohibit trafficking of children domestically and internationally for commercial sexual exploitation and forced labor, and do not require the use of force to be established for the crime of trafficking.	2016
	Establish laws that criminally prohibit forced labor, including debt bondage, the sale and trafficking of children, and slavery.	2013 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 into non-state armed groups.	2016

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ANGUILLA

MINIMAL ADVANCEMENT

In 2016, Anguilla made a minimal advancement in efforts to eliminate the worst forms of child labor. Research found no evidence that child labor, including its worst forms, exists in Anguilla. The Government funded an online system for the public to report commercial sexual exploitation, which transfers cases reported online involving children to the police. However, the law does not prohibit the involvement of children in illicit activities or provide a comprehensive list of hazardous occupations prohibited for children.

BRITISH VIRGIN ISLANDS

MINIMAL ADVANCEMENT

In 2016, the British Virgin Islands made a minimal advancement in efforts to eliminate the worst forms of child labor. Research found no evidence that child labor, including its worst forms, exists in the British Virgin Islands. The Government funded an online system for the public to report commercial sexual exploitation, which transfers cases reported online involving children to the police. However, the law does not prohibit the involvement of children in illicit activities, and the minimum age for recruitment by non-state armed groups does not meet international standards.

FALKLAND ISLANDS (ISLAS MALVINAS)

MINIMAL ADVANCEMENT

In 2016, the Falkland Islands made a minimal advancement in efforts to eliminate the worst forms of child labor. Research found no evidence that child labor, including its worst forms, exists in the Falkland Islands. The Government continued to fund an online system for the public to report commercial sexual exploitation, which transfers cases reported online involving children to the police. However, the minimum age for work and hazardous work do not meet international standards. The law also does not prohibit the involvement of children in illicit activities.

MONTSERRAT

MINIMAL ADVANCEMENT

In 2016, Montserrat made a minimal advancement in efforts to eliminate the worst forms of child labor. Research found no evidence that child labor, including its worst forms, exists in Montserrat. The Government funded an online system for the public to report commercial sexual exploitation, which transfers cases reported online involving children to the police. However, the law does not prohibit the involvement of children in illicit activities, and the minimum age for recruitment by non-state armed groups does not meet international standards.

SAINT HELENA, ASCENSIÓN, AND TRISTÁN DA CUNHA (FORMERLY SAINT HELENA)

MINIMAL ADVANCEMENT

In 2016, Saint Helena, Ascensión, and Tristán da Cunha (formerly Saint Helena) made a minimal advancement in efforts to eliminate the worst forms of child labor. Research found no evidence that child labor, including its worst forms, exists in Saint Helena, Ascensión, and Tristán da Cunha. The Government funded an online system for the public to report commercial sexual exploitation, which transfers cases reported online involving children to the police. However, there isn't a minimum age for work and the law does not prohibit the involvement of children in illicit activities. Gaps also remain in forced labor legislation and in the prohibition of trafficking of children for labor exploitation.

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I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

ANGUILLA, BRITISH VIRGIN ISLANDS, FALKLAND ISLANDS, MONTSERRAT, AND SAINT HELENA, ASCENSIÓN AND TRISTÁN DA CUNHA

Research found no evidence that child labor, including its worst forms, exists in Anguilla (A), the British Virgin Islands (BVI), the Falkland Islands (FI), Montserrat (M), and Saint Helena, Ascensión, and Tristán da Cunha (SH).(1-3)

Table 1 provides one key indicator on children's education in the BVI and M, the only Overseas Territories (OTs) of the United Kingdom for which information is available. Data on other key indicators for the UK OTs are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education




Children	Age	Territory				
		A	BVI	FI	M	SH
Working (% and population)	5 to 14	Unavailable	Unavailable	Unavailable	Unavailable	Unavailable
Attending School (%)	5 to 14	Unavailable	Unavailable	Unavailable	Unavailable	Unavailable
Combining Work and School (%)	7 to 14	Unavailable	Unavailable	Unavailable	Unavailable	Unavailable
Primary Completion Rate (%)		Unavailable	88.1	Unavailable	68.9	Unavailable

Source for primary completion rate: Data from 2007 published by UNESCO Institute for Statistics, 2015.(4)
Data were unavailable from Understanding Children's Work Project's analysis, 2015.(5)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

British Overseas Territories recognize the jurisdiction and sovereignty of the United Kingdom, but they are constitutionally not part of the UK. They are self-governing, except in the areas of foreign affairs and defense.(6) Domestic UK law does not generally apply unless explicitly extended in Anguilla, the British Virgin Islands, and Montserrat. The Falkland Islands and Saint Helena, Ascensión, and Tristán da Cunha generally incorporate English Law Ordinances to the extent permitted by local circumstances and subject to modification by local laws.(3) Under Article 35(4) of the ILO Constitution, when the UK ratifies a Convention, the Territory must consider if it will accept the Convention. If the Convention is accepted, it is considered applicable to that territory.(3, 6) The following conventions have been extended to the Overseas Territories of the UK (Table 2).

Table 2. Ratification of International Conventions on Child Labor

Convention	Ratifications				
	A	BVI	FI	M	SH
 ILO C. 138, Minimum Age					
ILO C. 182, Worst Forms of Child Labor			✓		✓
 UN CRC	✓	✓	✓		✓
UN CRC Optional Protocol on Armed Conflict					
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography					
 Palermo Protocol on Trafficking in Persons					

The Governments of the Overseas Territories of the UK have established laws and regulations related to child labor, including its worst forms (Table 3).

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Table 3. Laws and Regulations on Child Labor

ANGUILLA			
Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	12	Articles 1, 3, and 4 of the Employment of Women, Young Persons and Children Act; Articles 1 and 2 of the Employment of Children (Restriction) Act (7, 8)
Minimum Age for Hazardous Work	No	14	Articles 1, 3, and 4 of the Employment of Women, Young Persons and Children Act; Articles 1 and 2 of the Employment of Children (Restriction) Act (7, 8)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Article 6 of the Employment of Women, Young Persons and Children Act (7)
Prohibition of Forced Labor	Yes		Article 4 of the Constitution Order; Articles 147–148 and 152–153 of the Criminal Code (9, 10)
Prohibition of Child Trafficking	Yes		Articles 152 and 153 of the Criminal Code (9)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 147, 148, 150, 152, and 153 of the Criminal Code (9)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Military Recruitment			
State Compulsory	N/A*†		
State Voluntary	N/A†		
Non-state Compulsory	No		
Compulsory Education Age	Yes	17	Article 117 of the Education Act (11)
Free Public Education	Yes		Article 106 of the Education Act (11)

* No conscription (12)

† No standing military (6, 12)

In 2016, Anguilla held a series of consultations for the passage of the Status of Children Bill and the Maintenance of Children Bill.(13-15) The Status of Children Bill abolishes the distinction between children born in wedlock and out of wedlock, providing them equal status.(15, 16) The Maintenance of Children Bill grants access to the child if both parents are separated, obligating them to maintain and provide upbringing to the child.(14, 16)

The minimum age for work of 12 does not meet international standards. There is a minimum age of 14 that only applies to industrial undertakings, transportation of passengers or goods by roads or rail, and work on ships.(7, 8) The minimum age for hazardous work of 14 also does not meet international standards. However, there is a prohibition of night work for children under age 16 in manufacturing of raw sugar and a prohibition of night work in other industrial undertakings for children under 18.(7) Additionally, research could not determine whether Anguillan law prohibits the use of children in illicit activities, such as drug trafficking, because the Drug Trafficking Ordinance was not publically available. The law does not criminally prohibit the recruitment of children by non-state armed groups.(9)

BRITISH VIRGIN ISLANDS			
Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Article 128 of the Labor Code (17)
Minimum Age for Hazardous Work	Yes	18	Article 130 of the Labor Code (17)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 130-130.4, 134, and 146 of the Labor Code (17)
Prohibition of Forced Labor	Yes		Article 14 of the Constitution Order; Section 201A of the Criminal Code; Article 130 of the Labor Code (17-19)
Prohibition of Child Trafficking	Yes		Section 201A of the Criminal Code (19)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 284A of the Criminal Code; Article 130 of the Labor Code (17, 19)

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BRITISH VIRGIN ISLANDS (cont)			
Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Military Recruitment			
State Compulsory	N/A**†		
State Voluntary	N/A†		
Non-state Compulsory	No		
Compulsory Education Age	Yes	17	Section 2b of the Education Amendment Act of 2014; Division 3, Paragraph 28 of the Education Act (20, 21)
Free Public Education	Yes		Article 22 of the Constitution Order; Section 17 of the Education Act (18, 20)

* No conscription (12)

† No standing military (6, 12)

In the British Virgin Islands, the Labor Code specifies that hazardous work is to be defined by the Minister. The Government plans to establish a committee of officials from the Ministry of Education and Culture, the Ministry of Health and Social Development, the Ministry of Natural Resources and Labor, and the Deputy Governor's Office to develop a list of hazardous occupations prohibited for children.(2) However, the Government has not yet determined the types of hazardous work prohibited for children beyond night work and the use of dangerous machinery.(2) The law does not criminally prohibit the recruitment of children by non-state armed groups.

FALKLAND ISLANDS			
Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No		Section 4 of the Employment of Women, Young Persons, and Children Act (22, 23)
Minimum Age for Hazardous Work	No		Section 3 of the Employment of Children (Amendment) Ordinance; Sections 3 and 4A of the Employment of Women, Young Persons, and Children Act (22-24)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 3 of the Employment of Children (Amendment) Ordinance (22, 25)
Prohibition of Forced Labor	Yes		Chapter 1, Section 4 of the Constitution Order; Part 1, Sections 57–60 of the Sexual Offences Act (26, 27)
Prohibition of Child Trafficking	Yes		Part 1, Sections 57–60 of the Sexual Offences Act (26)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Part 1 of the Sexual Offences Act (26)
Prohibition of Using Children in Illicit Activities	No		Title 49 of the Drug Trafficking Ordinance (25)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	17	
Non-state Compulsory	No		
Compulsory Education Age	Yes	16	Education Amendment Ordinance; Chapter 1, Section 12 of the Constitution Order (27, 28)
Free Public Education	Yes		Education Amendment Ordinance; Chapter 1, Section 12 of the Constitution Order (27, 28)

* No conscription (12)

In the Falkland Islands, the Employment of Women, Young Persons, and Children Ordinance of 1968, (EWYPC Ordinance) as amended in 2006, and the Employment of Children Ordinance extend to the Falkland Islands.(24) The EWYPC Ordinance makes it illegal to employ children under age 15 in work that exposes them to physical, psychological, or sexual abuse.(29) The EWYPC Ordinance protects these children from night work, work underground, work underwater,

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work at dangerous heights, and work in confined spaces, as well as from work that requires using dangerous machinery, equipment, or tools without training and supervision.(22, 25) The minimum age of 15 for hazardous work is not in compliance with international standards.

The Drug Trafficking Ordinance does not prohibit adults from using, procuring, and offering a child in the production and trafficking of drugs in the Falkland Islands.(30) Although child trafficking has not been identified as a problem, the law does not criminalize trafficking children for labor exploitation.(22, 26, 27) Also, the law does not criminally prohibit the recruitment of children by non-state armed groups.

The Government of the Falkland Islands has implemented the Children Ordinance of 2014 with the aim of providing additional legal protection for children on the islands.(31) It is unclear whether this law addresses child labor, because this law does not appear to have been made public.

MONTserrat			
Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Part 9 of the Labor Code (32)
Minimum Age for Hazardous Work	Yes	18	Parts 9 and 10 of the Labor Code (32)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Part 9 of the Labor Code (32)
Prohibition of Forced Labor	Yes		Schedule II, No. 55 of the Constitution Order; and Part VIII-A, Sections 138A and 202D of the Penal Code (33, 34)
Prohibition of Child Trafficking	Yes		Part VIII-A, Sections 138A–B and Part XIV-A of the Penal Code (33)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Part VIII-A, Sections 138A–B of the Penal Code (33)
Prohibition of Using Children in Illicit Activities	No		Articles 3 and 98.6 of the Labor Code (32)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	N/A		
Non-state Compulsory	No		Articles 3 and 98.6 of the Labor Code (32)
Compulsory Education Age	Yes	16	Chapter II, Part 3 of the Education Act (35)
Free Public Education	Yes		Chapter II, Part 1 of the Education Act (35)

* No conscription (12)

In Montserrat, the Labor Code prohibits the employment of children under age 16; however, it includes an exception allowing the employment of children older than age 14 in light work. In addition, children under age 18 may not be employed at night or in occupations designated as hazardous.(32) The Minister of Labor for Montserrat is entrusted with the responsibility of deciding what constitutes hazardous work.(32) The law does not criminally prohibit the recruitment of children by non-state armed groups. Research could not find whether the law prohibits the use of children in illicit activities.

SAINT HELENA, ASCENSIÓN, AND TRISTÁN DA CUNHA			
Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No		
Minimum Age for Hazardous Work	Yes	18	Section 158 of the Welfare of Children Ordinance (36)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Section 158(2) of the Welfare and Children Ordinance (36)
Prohibition of Forced Labor	Yes		Sections 8 (Saint Helena), 125 (Ascensión), and 190 (Tristán da Cunha) of the Constitution Order (37)
Prohibition of Child Trafficking	Yes		Articles 57–60 of the Sexual Offences Act (26)

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SAINT HELENA, ASCENSIÓN, AND TRISTÁN DA CUNHA (cont)			
Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 47–51 of the Sexual Offences Act; Sections 145–147 of the Welfare of Children Ordinance (26, 36)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Military Recruitment			
State Compulsory	N/A*†		
State Voluntary	N/A†		
Non-state Compulsory	No		
Compulsory Education Age	Yes	16	Section 34 of the Education Ordinance (Saint Helena and Tristán da Cunha) (38)
		16	Ascensión Island Education Policy (Ascensión) (39)
Free Public Education	Yes		Section 16 (Saint Helena), Section 132 (Ascensión), and Section 198 (Tristán da Cunha) of the Constitution Order; Section 43 (Saint Helena) of the Education Ordinance; and Education Policy (Ascensión) (37-39)

* No conscription (12)

† No standing military (12)

In 2016, the Government of Saint Helena, Ascensión, and Tristán da Cunha (Government of STATC) stated that it intends to make their laws fully compliant with the UN CRC in the near future. During the reporting period, the laws were being reviewed and consolidated for a bill to be introduced in 2017.(3)

Saint Helena, Ascensión, and Tristán da Cunha do not have laws establishing a minimum age for work.(40) The minimum age of 15 for work on vessels is not in compliance with international standards because the Government of STATC has reported that work on fishing vessels is hazardous.(1, 4) The laws prohibiting forced labor in Saint Helena, Ascensión, and Tristán da Cunha are not sufficient as debt bondage and slavery are prohibited constitutionally, but not criminally.(37) While the UK Sexual Offences Act, which is applicable to this territory, prohibits trafficking for sexual exploitation, there are no laws prohibiting the trafficking of children for labor exploitation.(41) The law also does not criminally prohibit the recruitment of children by non-state armed groups.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

In Anguilla, the British Virgin Islands, the Falkland Islands, and Montserrat, the UK Government has established an institutional mechanism for the enforcement of labor laws, although child labor is not a problem. In Saint Helena, Ascensión, and Tristán da Cunha, where child labor is not reported to be a problem, research did not find institutional mechanisms for the enforcement of child labor (Table 4).

Table 4. Agencies Responsible for Child Labor Law Enforcement

ANGUILLA	
Organization/Agency	Role
Department of Labor of the Ministry of Finance, Economic Development, Investments, and Tourism	Enforce child labor laws through the Labor Commissioner, pursuant to the Employment of Children (Restriction) Act.(42, 43)
Department of Social Development of the Ministry of Social Development	Safeguard the well-being of children and investigate reports of child abuse. (44, 45)
Royal Anguilla Police Force	Investigate child protection cases.(44, 45)

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BRITISH VIRGIN ISLANDS	
Organization/Agency	Role
Ministry of Labor	Enforce labor laws and collect data and statistics on violations of the Labor Code.(17)

FALKLAND ISLANDS	
Organization/Agency	Role
Royal Falkland Islands Police	Enforce laws protecting children against abuses, including sexual abuses.(46)

MONTserrat	
Organization/Agency	Role
Department of Labor	Prohibit employment of children, pursuant to the Labor Code of 2012.(47)
Royal Montserrat Police Service	Enforce laws involving children.(48)
Department of Social Services	Employ social workers to work on child protection issues.(48)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Governments of Anguilla and the Falklands Islands have established a mechanism to coordinate efforts to address child labor, including its worst forms, although there appears to be no evidence of a problem. The British Virgin Islands, Montserrat, and Saint Helena, Ascension, and Tristan da Cunha do not have mechanisms to coordinate efforts to address child labor, including its worst forms, but there is no evidence of a problem in these territories (Table 5).

Table 5. Key Mechanisms to Coordinate Government Efforts on Child Labor

ANGUILLA	
Coordinating Body	Role & Description
Ministry of Social Development	Implement child protection efforts and ensure that Anguilla complies with the CRC.(43)

FALKLAND ISLANDS	
Coordinating Body	Role & Description
Falkland Islands Safeguarding Children Board	Ensure children's welfare, including protection from sexual abuses. Chaired by the Director of Health and Social Services, members include the Education Department, the Attorney General's Chambers, Social Services, Royal Falkland Islands Police, healthcare professionals, members of the Legislative Assembly, and a representative from the military community.(49)

In 2016, the UK Government funded an online system for reporting commercial sexual exploitation in Anguilla, the British Virgin Islands, Montserrat, and Saint Helena, Ascension, and Tristan da Cunha.(3) It allows people to report child abuse anonymously online. Reports are assessed and forwarded to the police.(3) While the Falkland Islands were not part of the funding for this reporting system, they continued to implement a similar system to report commercial sexual exploitation.(50)

At the 2016 Overseas Territories Joint Ministerial Council, leaders of the UK OTs discussed the development of a national response plan for child safeguarding on the islands.(3) The Government of the British Virgin Islands, the Falkland Islands, Montserrat, and Saint Helena, Ascension, and Tristan da Cunha signed an Overseas Territory Memorandum of Understanding developed by the Falkland Islands. The Memorandum promotes more effective collaboration between the UK OTs.(3)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

As there is no evidence of a problem, there appears to be no need for policies to address child labor, including its worst forms, in Anguilla, the British Virgin Islands, the Falkland Islands, Montserrat, and Saint Helena, Ascension, and Tristan da Cunha. However, Anguilla has established the Child Protection National Action Plan, Safeguarding and Child Protection

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Protocols and Procedures and an Inter-Agency Child Protection Protocol. All of these policies may contribute to the prevention of child labor.(13, 40, 42-45, 51-53)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor, including its worst forms, in Anguilla, the British Virgin Islands, the Falkland Islands, Montserrat, and Saint Helena, Ascension, and Tristan da Cunha. However, Anguilla has established the Safeguarding Children in Anguilla Project, Department for Youth and Culture Programming, and Child Safeguarding in the Overseas Territories Regional Project that may contribute to the prevention of child labor.(43, 54-56) The British Virgin Islands has established the Child Safeguarding in the Overseas Territories Regional Project and other child protection programs that may contribute to the prevention of child labor.(2, 55) Montserrat has established the UNICEF Program on Children's Rights, Policies, and Education that may contribute to the prevention of child labor.(57)

VII. SUGGESTED GOVERNMENT ACTIONS TO PREVENT THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the continued prevention of child labor, including its worst forms, in Anguilla, the British Virgin Islands, the Falkland Islands, Montserrat, and Saint Helena, Ascension, and Tristan da Cunha (Table 6).

Table 6. Suggested Government Actions to Prevent Child Labor, Including its Worst Forms

ANGUILLA		
Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law establishes 14 as the minimum age for work in all sectors.	2016
	Establish 18 as the minimum age for all hazardous work.	2011 – 2016
	Ensure the law prohibits the use of children in illicit activities, such as drug trafficking.	2014 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
BRITISH VIRGIN ISLANDS		
Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the use of children in illicit activities, including the production and trafficking of drugs, is criminally prohibited.	2015 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2012 – 2016
FALKLAND ISLANDS		
Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the minimum age for hazardous work is 18, that children receive adequate training in the type of work, and that the health, safety, and morals of children are protected.	2015 – 2016
	Clarify whether the law prohibits the use of children in the production and trafficking of drugs.	2013 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Clarify whether the law protects all children under age 18 from being trafficked for any purpose, including labor exploitation.	2012 – 2016
	Clarify whether the Children Ordinance of 2014 provides protection from child labor, including its worst forms.	2015 – 2016

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MONTSERRAT		
Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish laws regarding the use of children for illicit activities.	2011 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016

SAINT HELENA, ASCENSIÓN, AND TRISTÁN DA CUNHA		
Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish a legal minimum age for work in compliance with international standards.	2012 – 2016
	Ensure that types of hazardous work prohibited for children are comprehensive	2013 – 2016
	Establish laws to prohibit the use of children in illicit activities.	2015 – 2016
	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
	Establish laws to criminally prohibit trafficking of children for labor exploitation.	2014 – 2016

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In 2016, the Palestinian Authority made a minimal advancement in efforts to eliminate the worst forms of child labor in the areas of the West Bank under its control. The Palestinian Authority took steps to enforce child labor laws and improve coordination among government agencies in their work to address child labor, including its worst forms. However, children in the West Bank and the Gaza Strip engage in the worst forms of child labor, including in construction and illicit activities. The legal framework does not criminally prohibit all elements of child trafficking. In addition, programs to prevent or eliminate child labor in agriculture and street work are insufficient.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the West Bank and the Gaza Strip engage in the worst forms of child labor, including in construction and illicit activities.(1-7) Table 1 provides key indicators on children’s work and education in the West Bank and the Gaza Strip. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	Unavailable
Attending School (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		95.5

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(8)
Data were unavailable from Understanding Children’s Work Project’s analysis, 2016.(9)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Cultivating asparagus, dates, eggplants, onions, sweet peppers, grapes, tomatoes, and marijuana (4, 10-18)
	Fishing,† including working on fishing boats and repairing nets (1, 2, 4, 5, 19, 20)
	Raising livestock, including poultry and sheep (2, 4, 21)
Industry	Construction,† including demolishing buildings and collecting rubble and gravel for construction purposes (1-5)
	Manufacturing, including working in pottery workshops (2, 3, 5)
	Blacksmithing† (2)
Services	Street vending and portering (2-5, 22)
	Working in auto body shops and metal workshops (2-4, 22)
	Working in shops, restaurants, bakeries, or hotels (2, 5, 19, 22)
	Transporting goods (4, 23)
	Collecting scrap metal, cement bricks, and solid waste† (1, 2, 16, 21)
Categorical Worst Forms of Child Labor‡	Scavenging garbage, steel, and gravel at trash pits (19, 24, 25)
	Use in illicit activities, including smuggling drugs and food (4-7)
	Begging as a result of human trafficking (26)
	Commercial sexual exploitation (21)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

There are reports of child trafficking from the West Bank and the Gaza Strip into Israel, primarily for forced begging.(6, 21, 27) Children are vulnerable to child labor in the agricultural sector, partly because the Palestinian Authority (PA) does not have jurisdiction to enforce laws in Area C’s agricultural fields and Israeli settlements in the West Bank. There are reports of child labor in Israeli agricultural settlements in the Jordan Valley, where children work in excessive heat and are exposed to dangerous pesticides.(5, 7, 10, 16-18) The PA has documented cases in which child laborers were injured at work in the settlements and taken to hospitals in the West Bank.(5)

In the Gaza Strip, many school structures, which had been damaged, destroyed, or repurposed during the war of 2014, have not

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been repaired or replaced.(5) Insecurity also hinders children’s access to schools.(28, 29) Schools are overcrowded, poorly equipped, and at times unhygienic or susceptible to weather conditions.(30-32) Violence and discrimination by teachers against students who work, as well as the cost of transportation, contribute to a school dropout rate of 16 percent.(33, 34) According to the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), settler violence, military operations, delays at checkpoints, and school closures also limit access to education for Palestinian children.(35, 36)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The PA has Non-Member Observer status at the UN. In April 2014, PA officials presented letters of accession to 15 UN treaties to UN officials, including the UN CRC and its Optional Protocol on the Involvement of Children in Armed Conflict (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	N/A
ILO C. 182, Worst Forms of Child Labor	N/A
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	N/A
 Palermo Protocol on Trafficking in Persons	

The PA has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in the West Bank and the Gaza Strip’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 93 of the Labor Law for the West Bank and the Gaza Strip; Article 14 of the Palestinian Child Law for the West Bank and the Gaza Strip (37, 38)
Minimum Age for Hazardous Work	Yes	18	Article 95 of the Labor Law for the West Bank and the Gaza Strip (38)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 1 of Minister of Labor’s Decree on Hazardous Work for the West Bank and the Gaza Strip (39)
Prohibition of Forced Labor	Yes		Article 1 of Minister of Labor’s Decree on Hazardous Work for the West Bank and the Gaza Strip (39)
Prohibition of Child Trafficking	No		Article 1 of Minister of Labor’s Decree on Hazardous Work for the West Bank and the Gaza Strip (39)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 36 of the Palestinian Child Law for the West Bank and the Gaza Strip; Articles 306, 310, 311, 315, and 319 of the Jordanian Penal Code for the West Bank; Articles 159 and 165 of the Palestinian Penal Code for the Gaza Strip (37, 40, 41)
Prohibition of Using Children in Illicit Activities	Yes		Articles 27 and 44 of the Palestinian Child Law for the West Bank and the Gaza Strip (37)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes†	18	Article 46 of the Palestinian Child Law for the West Bank and the Gaza Strip (37)
Non-state Compulsory	No		Article 46 of the Palestinian Child Law for the West Bank and the Gaza Strip (37)
Compulsory Education Age	Yes	16	Articles 3, 15, and 18 of the Palestinian Education Act for the West Bank and the Gaza Strip (42)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Free Public Education	Yes		Article 37 of the Palestinian Child Law for the West Bank and the Gaza Strip (37)

* No conscription in the West Bank and the Gaza Strip (7)

† No standing military in the West Bank (7)

Although human trafficking is on the hazardous work list, the law does not criminally prohibit child trafficking in accordance with international standards.(38, 39) There are no criminal penalties for recruiting children into non-state armed groups.(37)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The PA has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MOL), Labor Inspection Office	Enforce labor laws, including those related to child labor.(43)
Ministry of Social Affairs (MOSA), Child Protection Department	Protect children’s rights, including through the provision of services to children found involved in the worst forms of child labor.(44)
Police	Investigate violations of criminal laws, including the commercial sexual exploitation of children. (44)
Office of the Attorney General	Prosecute cases of child exploitation, including child labor.(44)

In the West Bank, under the terms of the Oslo-era agreements between the Palestine Liberation Organization and the Israeli Government, the PA has civil law jurisdiction in the areas of the West Bank designated Area A and Area B, which represent approximately 39 percent of the West Bank’s land area and contain approximately 94 percent of the Palestinian population. The Israeli Government has control over the city of Jerusalem and Area C; the latter represents 61 percent of the West Bank’s land area and approximately 6 percent of the Palestinian population, as well as the vast majority of the West Bank’s agricultural areas where many Palestinian children work.(43, 45-48) Since the 2007 takeover in the Gaza Strip by Hamas, the PA has not had enforcement capabilities in the Gaza Strip, despite the creation of the PA interim consensus government in 2014.(43, 45, 49)

Labor Law Enforcement

In 2016, PA labor law enforcement agencies in the West Bank took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	53 (21)	67 (48)
Number of Child Labor Dedicated Inspectors	6 (21)	18 (48)
Inspectorate Authorized to Assess Penalties	No (50)	No (5)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (21)	Yes (51)
Training on New Laws Related to Child Labor	Yes (21)	Yes (51)
Refresher Courses Provided	Yes (21)	Yes (51)
Number of Labor Inspections	5,180 (46)	4,200 (5)
Number Conducted at Worksite	5,180 (46)	4,200 (5)
Number Conducted by Desk Reviews	0 (21)	0 (5)
Number of Child Labor Violations Found	359 (48)	202 (48)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown
Number of Penalties Imposed That Were Collected	Unknown	Unknown (51)

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2015	2016
Routine Inspections Conducted	Yes (21)	Yes (51)
Routine Inspections Targeted	Yes (21)	Yes (5)
Unannounced Inspections Permitted	Yes (50)	Yes (50)
Unannounced Inspections Conducted	Yes (21)	Yes (5)
Complaint Mechanism Exists	Yes (21)	Yes (21)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (21)	Yes (21)

The Ministry of Labor previously reported that they are unable to inspect as many businesses per year as required by the Labor Law due to inadequate funding.(5, 21)

Criminal Law Enforcement

In 2016, PA criminal law enforcement agencies in the West Bank took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (21)	Yes (51)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (21)	Yes (51)
Refresher Courses Provided	Yes (21)	Yes (51)
Number of Investigations	14 (46)	40 (51)
Number of Violations Found	119 (46)	40 (51)
Number of Prosecutions Initiated	8 (21)	3 (51)
Number of Convictions	Unknown (21)	0 (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (21)	Yes (21)

In 2016, the Ministry of Social Affairs (MOSA) provided training to judges, police officers, and social workers. PA officials stated that inadequate resources, including limited training, hampered their capacity to enforce criminal laws related to the worst forms of child labor. Three cases of prosecution related to the worst forms of child labor were pending at the end of 2016.(5)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The PA has established mechanisms to coordinate its efforts to address child labor, including its worst forms, in the West Bank (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Committee on Child Labor	Create national policy on child labor. Led by the MOL and includes representatives from four other ministries, as well as international organizations.(23) In 2016, the Committee met regularly, which, together with the efforts of MOSA Child Protection Networks, resulted in improved coordination among government agencies.(5)
MOSA Child Protection Networks	Coordinate at the district level between service providers, law enforcement, and the Attorney General to protect vulnerable children, including those involved in child labor.(44, 52) Composed of MOSA, other PA agencies, and international organizations. The role of some agencies is to provide services to vulnerable children, while others ensure that crimes against children are prosecuted in accordance with the law.(44, 52)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The PA has established policies related to child labor, including its worst forms, in the West Bank (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Development Plan (2014–2016)	Aimed to improve the living standards of residents, including through alleviating poverty and reducing unemployment. Included components to better regulate the economic activities of working children and remove more child laborers from the labor market.(53) Research was unable to determine whether activities were undertaken to implement the National Development Plan during the reporting period.

Although the PA has adopted the National Development Plan, research found no evidence of a policy that includes all worst forms of child labor.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the PA funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
MOSA Social Protection Programs [†]	MOSA programs in the West Bank that provide cash assistance, health insurance, and free education.(52) Families are assessed for eligibility; one of the goals is to prevent families from resorting to child labor. MOSA and the Ministry of Education also make efforts to ensure that children who have dropped out are sent back to school.(52)
MOSA Vocational Centers [†]	MOSA program in the West Bank that operates 13 vocational centers for children who have dropped out of school.(44)
UN Education Programs	UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) programs that provide educational support for children and youth in refugee camps, and microfinance and other forms of support to families in the West Bank and the Gaza Strip.(54) In 2016, UNICEF provided protective presence to children as they commuted to school, as harassment on the way to school in Area C of the West Bank is a key barrier to education. UNICEF also rehabilitated school buildings in the Gaza Strip.(55)

[†] Program is partially funded by the PA.

[‡] In 2016, the PA had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(56)

MOSA previously indicated that additional educational programs are needed in order to address child labor, but it lacked sufficient funding to implement them.(21) Although there are programs in the West Bank and the Gaza Strip that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, including in agriculture and street work.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in the West Bank and the Gaza Strip (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under 18 into non-state armed groups.	2016
	Ensure that the law criminally prohibits all stages of human trafficking, trafficking for forced labor and commercial sexual exploitation, and both domestic and international trafficking, in accordance with international standards.	2015 – 2016
Enforcement	Ensure that child labor laws are enforced in the Gaza Strip.	2010 – 2016
	Publish information on the labor inspectorate, including the amount of funding, the number of child labor violations for which penalties were issued, and whether penalties were collected.	2010 – 2016
	Authorize the labor inspectorate to assess penalties.	2016
	Provide further resources and staff to the MOL and MOSA to conduct inspections, and to provide further training on the worst forms of child labor.	2010 – 2016

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Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Government Policies	Implement the National Development Plan.	2016
	Adopt a policy that addresses all worst forms of child labor, such as the use of children in illicit activities.	2016
Social Programs	Expand programs to improve access to education.	2011 – 2016
	Expand programs to further combat child labor, specifically in agriculture and street work.	2010 – 2016

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Western Sahara

SIGNIFICANT ADVANCEMENT

In 2016, Morocco, which administers an estimated 80 percent of the territory of the Western Sahara, made a significant advancement in efforts to eliminate the worst forms of child labor in the portion of Western Sahara it controls. The Government of Morocco passed the Law on Trafficking in Human Beings, improving protections for children vulnerable to trafficking, and the Law on Setting Up Employment Conditions of Domestic Workers, limiting the employment of children between the ages of 16 and 18 for domestic work. The Government also launched an implementation plan for the Integrated Public Policy on the Protection of Children in Morocco, which aims to protect children from the worst forms of child labor. In addition, the Government continued to fund the Tayssir Conditional Cash Transfer Program, providing direct cash transfers of between \$7 and \$16 a month to qualifying families whose children meet school attendance criteria. Although research is limited, there is evidence that children in Western Sahara perform dangerous tasks in agriculture. Furthermore, the Government of Morocco has programs that target child labor; however, the scope of these programs is insufficient to fully address the extent of the problem.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR




Although research is limited, there is evidence that children in Western Sahara perform dangerous tasks in agriculture.(1) In general, research has not been conducted on the extent of child labor in Western Sahara, nor has research explored education levels. Data on key indicators on children’s work and education are not available from the sources used in this report.(2)

Commercial sexual exploitation of migrant girls occurs and is reportedly more prevalent in fishing villages and on fishing boats. Some children with disabilities beg in the streets.(3) Children, particularly in rural areas, are vulnerable to child labor due to similar barriers to educational opportunities faced in internationally recognized Morocco.(4)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Moroccan-administered portion of the territory of Western Sahara is subject to the same laws as internationally recognized Morocco.(5-9) The Popular Front for the Liberation of the *Saguia el-Hamra* and *Río de Oro* (Polisario Front), a Sahrawi national liberation movement, controls the remaining 20 percent of the territory; information on the laws applicable in this sparsely populated area is unavailable.(1, 6, 10) Morocco has ratified all key international conventions concerning child labor, which extend to the areas in Western Sahara administered by the Government of Morocco (Table 1).

Table 1. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	

The Government of Morocco has established laws and regulations related to child labor, including its worst forms (Table 2). However, gaps exist in Morocco’s legal framework to adequately protect children from child labor.

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Article 143 of the Labor Code (11)
Minimum Age for Hazardous Work	Yes	18	Articles 147 and 181 of the Labor Code (11)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Child Labor List, Decree No. 2-10-183; Article 181 of the Labor Code (11, 12)
Prohibition of Forced Labor	Yes		Article 10 of the Labor Code (11)

Table 2. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Child Trafficking	Yes		Article 448.1, 448.4, and 448.5 of the Law on Trafficking in Human Beings (13)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 503 of the Penal Code (14)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 4 of Royal Decree of 9 June 1966 (15)
Non-state Compulsory	Yes	18	Articles 448.1 and 448.4 of the Law on Trafficking in Human Beings (13)
Compulsory Education Age	Yes	15	Article 1 of Law No. 04-00 (16)
Free Public Education	Yes		Article 1 of Law No. 04-00 (16)

* No conscription (17)

In 2016, the Government of Morocco passed the Law on Trafficking in Human Beings, which is consistent with the Palermo Protocol and other international agreements.(13, 18) The Government also passed a law that provides protections for child domestic workers, setting the minimum age at 16 for domestic work; permits labor inspectors to mediate disputes between employers and domestic workers; and authorizes the Government to prosecute intermediaries who traffic children for labor exploitation.(18-20) The types of hazardous work prohibited for children do not fully cover sectors in which child labor is known to occur, and sectors in which work may be undertaken in conditions that harm children’s health, safety, and morals.(12)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government of Morocco has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 3). Information about labor law and criminal law enforcement in Western Sahara is unavailable.

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment and Social Affairs	Enforce child labor laws and oversee programs on child labor through its child labor task force. Employ labor inspectors in 51 inspectorates across Morocco; dedicate at least one of the 53 child labor inspectors to each inspectorate.(1, 21-23) Provide occupational health and safety services, administer social security, and organize labor inspections and employment services through nationwide satellite offices.(22)
Ministry of the Interior	Enforce prohibitions on prostitution and other exploitive crimes involving minors, as established in the Penal Code.(21, 24)
Ministry of Justice and Liberties	Prosecute criminal offenses against children, such as commercial sexual exploitation and child trafficking, and violations of labor laws.(21, 25) The Ministry’s Child Labor Units process cases involving women and children within the court system.(26)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government of Morocco has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 4).

Table 4. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Technical Committee Under the Special Ministerial Commission for the Protection and Improvement of Childhood	Ensure inter-sectoral coordination and monitoring of the implementation of international conventions on the issue of children through a committee of 25 government bodies, chaired by the President of the Government of the Kingdom of Morocco. Establish strategies and mechanisms to implement national policies and plans in the area of child protection and in coordination efforts managed primarily at the local and regional levels.(23, 27, 28)
Ministry of Employment and Social Affairs	Coordinate policies and efforts to combat child labor, providing guidance and limited funding to NGOs working against child labor through its Office for the Fight Against Child Labor.(22, 29, 30)

Western Sahara

SIGNIFICANT ADVANCEMENT

Table 4. Key Mechanisms to Coordinate Government Efforts on Child Labor (cont)

Coordinating Body	Role & Description
Ministry of Solidarity, Women, Family, and Social Development (MSWFSD)	Continue child protection and child labor elimination efforts. Increase children's access to education. (24, 31) Responsible for implementing the Integrated Public Policy on the Protection of Children.(21, 32) Support 142 Child Reception Centers that provide services to child victims of violence.(23)
Ministry in Charge of Residents and Migration Affairs	Coordinate efforts to reduce migrant vulnerability to child labor. Promote migrant children's access to public education facilities in addition to other social services and assistance.(22, 23, 33)
Ministry of National Educational and Vocational Training (MONEVT)	Provide education and job training to former child workers, including former child domestic workers and migrant youth.(21, 23)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Morocco has established policies related to child labor, including its worst forms (Table 5).

Table 5. Key Policies Related to Child Labor

Policy	Description
MSWFSD's Integrated Public Policy on the Protection of Children in Morocco (PPIPEM)	Promotes an interdisciplinary approach to respond to child exploitation, among other issues. (21, 22, 32) In 2016, MSWFSD presented a National Implementation Program that defines the necessary measures to reach the five strategic objectives of the PPIPEM and the responsibilities of each Government of Morocco entity, including deadlines, and monitoring and evaluation indicators.(9, 34)

The Government of Morocco has not included child labor elimination and prevention strategies into the National Migration Strategy and the UNDAF.(22, 26, 30, 35, 36)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government of Morocco funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms, which extended to Western Sahara (Table 6).

Table 6. Key Social Programs to Address Child Labor*

Program	Description
<i>Tayssir</i> Conditional Cash Transfer Program†	MONEVT program that provides direct cash transfers of between \$7 and \$16 a month to qualifying families whose children meet school attendance criteria and that aims to increase school enrollment and reduce dropout rates, particularly in rural areas, with 832,500 beneficiaries in 2015–2016 and an estimated 2016–2017 budget of \$77.7 million.(1, 8, 22, 24, 32, 34, 37, 38)

† Program is funded by the Government of Morocco.

‡ The Government of Morocco had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(8, 9, 22, 30, 34)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Western Sahara (Table 7).

Table 7. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws prohibit children from being used, procured, or offered for the production and trafficking of drugs.	2014 – 2016
	Ensure that the types of hazardous work prohibited for children are comprehensive.	2016
Government Policies	Continue integration of child labor elimination and prevention strategies into the National Migration Strategy and UNDAF policies.	2016
Social Programs	Conduct a comprehensive study of children's work activities to determine whether they are engaged in or at risk of being involved in child labor, and determine the number of child laborers.	2013 – 2016
	Remove barriers to rural children's ability to access educational opportunities.	2015 – 2016

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GMB Akash/Panos
Bangladesh, Dhaka

A young girl shapes glass to make bangles using a small kiln at a glass bangle factory in Old Dhaka. The adults and children who work here work in small huts which are dark, have poor ventilation and get very hot. Dust from polishing the glass bangles adversely affects their eyes and lungs.

Appendix 1.

Country Assessments, by Assessment

COUNTRY	REGION	ASSESSMENT
SIGNIFICANT ADVANCEMENT		
Albania	EUR	Significant Advancement
Argentina	LAC	Significant Advancement
Brazil	LAC	Significant Advancement
Chile	LAC	Significant Advancement
Colombia	LAC	Significant Advancement
Congo, Democratic Republic of the	AF	Significant Advancement
Costa Rica	LAC	Significant Advancement
Côte d'Ivoire	AF	Significant Advancement
Ecuador	LAC	Significant Advancement
Ethiopia	AF	Significant Advancement
Ghana	AF	Significant Advancement
Guatemala	LAC	Significant Advancement
Kosovo	EUR	Significant Advancement
Mali	AF	Significant Advancement
Morocco	MENA	Significant Advancement
Panama	LAC	Significant Advancement
Paraguay	LAC	Significant Advancement
Peru	LAC	Significant Advancement
Philippines	AP	Significant Advancement
Thailand	AP	Significant Advancement
Tunisia	MENA	Significant Advancement
Uganda	AF	Significant Advancement
Western Sahara	MENA	Significant Advancement
MODERATE ADVANCEMENT		
Afghanistan	AP	Moderate Advancement
Algeria	MENA	Moderate Advancement
Angola	AF	Moderate Advancement
Bahrain	MENA	Moderate Advancement
Bhutan	AP	Moderate Advancement
Bosnia and Herzegovina	EUR	Moderate Advancement
Botswana	AF	Moderate Advancement
Burkina Faso	AF	Moderate Advancement
Cabo Verde	AF	Moderate Advancement
Cambodia	AP	Moderate Advancement
Cameroon	AF	Moderate Advancement
Central African Republic	AF	Moderate Advancement
Chad	AF	Moderate Advancement
Comoros	AF	Moderate Advancement
Egypt	MENA	Moderate Advancement

Appendix 1.

Country Assessments, by Assessment (Continued)

COUNTRY	REGION	ASSESSMENT
El Salvador	LAC	Moderate Advancement
Fiji	AP	Moderate Advancement
Gambia, The	AF	Moderate Advancement
Guinea	AF	Moderate Advancement
Guinea-Bissau	AF	Moderate Advancement
Guyana	LAC	Moderate Advancement
Haiti	LAC	Moderate Advancement
Honduras	LAC	Moderate Advancement
India	AP	Moderate Advancement
Indonesia	AP	Moderate Advancement
Jamaica	LAC	Moderate Advancement
Jordan	MENA	Moderate Advancement
Kazakhstan	AP	Moderate Advancement
Kenya	AF	Moderate Advancement
Kyrgyz Republic	AP	Moderate Advancement
Lebanon	MENA	Moderate Advancement
Liberia	AF	Moderate Advancement
Macedonia	EUR	Moderate Advancement
Madagascar	AF	Moderate Advancement
Malawi	AF	Moderate Advancement
Maldives	AP	Moderate Advancement
Mauritius	AF	Moderate Advancement
Moldova	EUR	Moderate Advancement
Mongolia	AP	Moderate Advancement
Montenegro	EUR	Moderate Advancement
Namibia	AF	Moderate Advancement
Nepal	AP	Moderate Advancement
Nicaragua	LAC	Moderate Advancement
Niger	AF	Moderate Advancement
Nigeria	AF	Moderate Advancement
Oman	MENA	Moderate Advancement
Pakistan	AP	Moderate Advancement
Rwanda	AF	Moderate Advancement
Saint Lucia	LAC	Moderate Advancement
Saint Vincent and the Grenadines	LAC	Moderate Advancement
Samoa	AP	Moderate Advancement
Serbia	EUR	Moderate Advancement
South Africa	AF	Moderate Advancement
Sri Lanka	AP	Moderate Advancement
Timor-Leste	AP	Moderate Advancement

Appendix 1.

Country Assessments, by Assessment (Continued)

COUNTRY	REGION	ASSESSMENT
Togo	AF	Moderate Advancement
Turkey	EUR	Moderate Advancement
Zambia	AF	Moderate Advancement
Zimbabwe	AF	Moderate Advancement
MINIMAL ADVANCEMENT		
Anguilla	EUR	Minimal Advancement
Bangladesh	AP	Minimal Advancement
Belize	LAC	Minimal Advancement
Benin	AF	Minimal Advancement
British Virgin Islands	EUR	Minimal Advancement
Burundi	AF	Minimal Advancement
Congo, Republic of the	AF	Minimal Advancement
Cook Islands	AP	Minimal Advancement
Djibouti	AF	Minimal Advancement
Dominica	LAC	Minimal Advancement
Falkland Islands (Islas Malvinas)	EUR	Minimal Advancement
Gabon	AF	Minimal Advancement
Grenada	LAC	Minimal Advancement
Kiribati	AP	Minimal Advancement
Lesotho	AF	Minimal Advancement
Montserrat	EUR	Minimal Advancement
Mozambique	AF	Minimal Advancement
Norfolk Island	AP	Minimal Advancement
Papua New Guinea	AP	Minimal Advancement
São Tomé and Príncipe	AF	Minimal Advancement
Senegal	AF	Minimal Advancement
Seychelles	AF	Minimal Advancement
Solomon Islands	AP	Minimal Advancement
Saint Helena, Ascension, and Tristan da Cunha	EUR	Minimal Advancement
Suriname	LAC	Minimal Advancement
Tonga	AP	Minimal Advancement
Tuvalu	AP	Minimal Advancement
Uruguay	LAC	Minimal Advancement
Vanuatu	AP	Minimal Advancement
Venezuela	LAC	Minimal Advancement
West Bank and the Gaza Strip	MENA	Minimal Advancement
Yemen	MENA	Minimal Advancement

Country Assessments, by Assessment (Continued)

COUNTRY	REGION	ASSESSMENT
MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW, POLICY OR PRACTICE THAT DELAYED ADVANCEMENT		
Armenia	EUR	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
Bolivia	LAC	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
Dominican Republic	LAC	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Georgia	EUR	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
Mauritania	AF	Minimal Advancement – Efforts Made but Continued Policy that Delayed Advancement
Sierra Leone	AF	Minimal Advancement – Efforts Made but Continued Policy that Delayed Advancement
Somalia	AF	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Tanzania	AF	Minimal Advancement – Efforts Made but Continued Policy that Delayed Advancement
Ukraine	EUR	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN LAW, POLICY OR PRACTICE THAT DELAYED ADVANCEMENT		
Azerbaijan	EUR	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement
Iraq	MENA	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement
NO ADVANCEMENT		
Christmas Island	AP	No Advancement
Cocos (Keeling) Islands	AP	No Advancement
Niue	AP	No Advancement
Tokelau	AP	No Advancement
NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR		
South Sudan	AF	No Advancement – Efforts Made but Complicit in Forced Child Labor
Swaziland	AF	No Advancement – Efforts Made but Complicit in Forced Child Labor
Uzbekistan	AP	No Advancement – Efforts Made but Complicit in Forced Child Labor
NO ADVANCEMENT – NO EFFORTS MADE AND COMPLICIT IN FORCED CHILD LABOR		
Eritrea	AF	No Advancement – No Efforts Made and Complicit in Forced Child Labor
NO ASSESSMENT		
Burma	AP	No Assessment
Wallis and Futuna	EUR	No Assessment

Appendix 1.

Country Assessments, by Country

COUNTRY	REGION	ASSESSMENT
Afghanistan	AP	Moderate Advancement
Albania	EUR	Significant Advancement
Algeria	MENA	Moderate Advancement
Angola	AF	Moderate Advancement
Anguilla	EUR	Minimal Advancement
Argentina	LAC	Significant Advancement
Armenia	EUR	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
Azerbaijan	EUR	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement
Bahrain	MENA	Moderate Advancement
Bangladesh	AP	Minimal Advancement
Belize	LAC	Minimal Advancement
Benin	AF	Minimal Advancement
Bhutan	AP	Moderate Advancement
Bolivia	LAC	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
Bosnia and Herzegovina	EUR	Moderate Advancement
Botswana	AF	Moderate Advancement
Brazil	LAC	Significant Advancement
British Virgin Islands	EUR	Minimal Advancement
Burkina Faso	AF	Moderate Advancement
Burma	AP	No Assessment
Burundi	AF	Minimal Advancement
Cabo Verde	AF	Moderate Advancement
Cambodia	AP	Moderate Advancement
Cameroon	AF	Moderate Advancement
Central African Republic	AF	Moderate Advancement
Chad	AF	Moderate Advancement
Chile	LAC	Significant Advancement
Christmas Island	AP	No Advancement
Cocos (Keeling) Islands	AP	No Advancement
Colombia	LAC	Significant Advancement
Comoros	AF	Moderate Advancement
Congo, Democratic Republic of the	AF	Significant Advancement
Congo, Republic of the	AF	Minimal Advancement
Cook Islands	AP	Minimal Advancement
Costa Rica	LAC	Significant Advancement
Côte d'Ivoire	AF	Significant Advancement
Djibouti	AF	Minimal Advancement
Dominica	LAC	Minimal Advancement
Dominican Republic	LAC	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement

Appendix 1.

Country Assessments, by Country (Continued)

COUNTRY	REGION	ASSESSMENT
Ecuador	LAC	Significant Advancement
Egypt	MENA	Moderate Advancement
El Salvador	LAC	Moderate Advancement
Eritrea	AF	No Advancement – No Efforts Made and Complicit in Forced Child Labor
Ethiopia	AF	Significant Advancement
Falkland Islands (Islas Malvinas)	EUR	Minimal Advancement
Fiji	AP	Moderate Advancement
Gabon	AF	Minimal Advancement
Gambia, The	AF	Moderate Advancement
Georgia	EUR	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
Ghana	AF	Significant Advancement
Grenada	LAC	Minimal Advancement
Guatemala	LAC	Significant Advancement
Guinea	AF	Moderate Advancement
Guinea-Bissau	AF	Moderate Advancement
Guyana	LAC	Moderate Advancement
Haiti	LAC	Moderate Advancement
Honduras	LAC	Moderate Advancement
India	AP	Moderate Advancement
Indonesia	AP	Moderate Advancement
Iraq	MENA	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement
Jamaica	LAC	Moderate Advancement
Jordan	MENA	Moderate Advancement
Kazakhstan	AP	Moderate Advancement
Kenya	AF	Moderate Advancement
Kiribati	AP	Minimal Advancement
Kosovo	EUR	Significant Advancement
Kyrgyz Republic	AP	Moderate Advancement
Lebanon	MENA	Moderate Advancement
Lesotho	AF	Minimal Advancement
Liberia	AF	Moderate Advancement
Macedonia	EUR	Moderate Advancement
Madagascar	AF	Moderate Advancement
Malawi	AF	Moderate Advancement
Maldives	AP	Moderate Advancement
Mali	AF	Significant Advancement
Mauritania	AF	Minimal Advancement – Efforts Made but Continued Policy that Delayed Advancement
Mauritius	AF	Moderate Advancement
Moldova	EUR	Moderate Advancement
Mongolia	AP	Moderate Advancement

Appendix 1.

Country Assessments, by Country (Continued)

COUNTRY	REGION	ASSESSMENT
Montenegro	EUR	Moderate Advancement
Montserrat	EUR	Minimal Advancement
Morocco	MENA	Significant Advancement
Mozambique	AF	Minimal Advancement
Namibia	AF	Moderate Advancement
Nepal	AP	Moderate Advancement
Nicaragua	LAC	Moderate Advancement
Niger	AF	Moderate Advancement
Nigeria	AF	Moderate Advancement
Niue	AP	No Advancement
Norfolk Island	AP	Minimal Advancement
Oman	MENA	Moderate Advancement
Pakistan	AP	Moderate Advancement
Panama	LAC	Significant Advancement
Papua New Guinea	AP	Minimal Advancement
Paraguay	LAC	Significant Advancement
Peru	LAC	Significant Advancement
Philippines	AP	Significant Advancement
Rwanda	AF	Moderate Advancement
Saint Helena, Ascension, and Tristan da Cunha	EUR	Minimal Advancement
Saint Lucia	LAC	Moderate Advancement
Saint Vincent and the Grenadines	LAC	Moderate Advancement
Samoa	AP	Moderate Advancement
São Tomé and Príncipe	AF	Minimal Advancement
Senegal	AF	Minimal Advancement
Serbia	EUR	Moderate Advancement
Seychelles	AF	Minimal Advancement
Sierra Leone	AF	Minimal Advancement – Efforts Made but Continued Policy that Delayed Advancement
Solomon Islands	AP	Minimal Advancement
Somalia	AF	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
South Africa	AF	Moderate Advancement
South Sudan	AF	No Advancement – Efforts Made but Complicit in Forced Child Labor
Sri Lanka	AP	Moderate Advancement
Suriname	LAC	Minimal Advancement
Swaziland	AF	No Advancement – Efforts Made but Complicit in Forced Child Labor
Tanzania	AF	Minimal Advancement – Efforts Made but Continued Policy that Delayed Advancement
Thailand	AP	Significant Advancement
Timor-Leste	AP	Moderate Advancement

Appendix 1.

Country Assessments, by Country (Continued)

COUNTRY	REGION	ASSESSMENT
Togo	AF	Moderate Advancement
Tokelau	AP	No Advancement
Tonga	AP	Minimal Advancement
Tunisia	MENA	Significant Advancement
Turkey	EUR	Moderate Advancement
Tuvalu	AP	Minimal Advancement
Uganda	AF	Significant Advancement
Ukraine	EUR	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
Uruguay	LAC	Minimal Advancement
Uzbekistan	AP	No Advancement – Efforts Made but Complicit in Forced Child Labor
Vanuatu	AP	Minimal Advancement
Venezuela	LAC	Minimal Advancement
Wallis and Futuna	EUR	No Assessment
West Bank and the Gaza Strip	MENA	Minimal Advancement
Western Sahara	MENA	Significant Advancement
Yemen	MENA	Minimal Advancement
Zambia	AF	Moderate Advancement
Zimbabwe	AF	Moderate Advancement

Appendix 1.

Comparisons in Assessments from 2015 to 2016, by Country

COUNTRY	REGION	2015 ASSESSMENT	2016 ASSESSMENT
Afghanistan	AP	Moderate Advancement	Moderate Advancement
Albania	EUR	Moderate Advancement	Significant Advancement
Algeria	MENA	Significant Advancement	Moderate Advancement
Angola	AF	Moderate Advancement	Moderate Advancement
Anguilla	EUR	Minimal Advancement	Minimal Advancement
Argentina	LAC	Significant Advancement	Significant Advancement
Armenia	EUR	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
Azerbaijan	EUR	Minimal Advancement	Minimal Advancement – Efforts Made but Regression in Policy that Delayed Advancement
Bahrain	MENA	Minimal Advancement	Moderate Advancement
Bangladesh	AP	Moderate Advancement	Minimal Advancement
Belize	LAC	Minimal Advancement	Minimal Advancement
Benin	AF	Moderate Advancement	Minimal Advancement
Bhutan	AP	Minimal Advancement	Moderate Advancement
Bolivia	LAC	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
Bosnia and Herzegovina	EUR	Moderate Advancement	Moderate Advancement
Botswana	AF	Minimal Advancement	Moderate Advancement
Brazil	LAC	Significant Advancement	Significant Advancement
British Virgin Islands	EUR	No Advancement	Minimal Advancement
Burkina Faso	AF	Significant Advancement	Moderate Advancement
Burma	AP		No Assessment
Burundi	AF	Minimal Advancement	Minimal Advancement
Cabo Verde	AF	Moderate Advancement	Moderate Advancement
Cambodia	AP	Significant Advancement	Moderate Advancement
Cameroon	AF	Moderate Advancement	Moderate Advancement
Central African Republic	AF	Moderate Advancement	Moderate Advancement
Chad	AF	Moderate Advancement	Moderate Advancement
Chile	LAC	Significant Advancement	Significant Advancement
Christmas Island	AP	No Advancement	No Advancement
Cocos (Keeling) Islands	AP	No Advancement	No Advancement
Colombia	LAC	Moderate Advancement	Significant Advancement
Comoros	AF	Moderate Advancement	Moderate Advancement
Congo, Democratic Republic of the	AF	Moderate Advancement	Significant Advancement
Congo, Republic of the	AF	Moderate Advancement	Minimal Advancement
Cook Islands	AP	Moderate Advancement	Minimal Advancement
Costa Rica	LAC	Significant Advancement	Significant Advancement

Appendix 1.

Comparisons in Assessments from 2015 to 2016, by Country (Continued)

COUNTRY	REGION	2015 ASSESSMENT	2016 ASSESSMENT
Côte d'Ivoire	AF	Significant Advancement	Significant Advancement
Djibouti	AF	Moderate Advancement	Minimal Advancement
Dominica	LAC	Minimal Advancement	Minimal Advancement
Dominican Republic	LAC	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Ecuador	LAC	Moderate Advancement	Significant Advancement
Egypt	MENA	Moderate Advancement	Moderate Advancement
El Salvador	LAC	Moderate Advancement	Moderate Advancement
Eritrea	AF	No Advancement – Efforts Made but Complicit in Forced Child Labor	No Advancement – No Efforts Made and Complicit in Forced Child Labor
Ethiopia	AF	Moderate Advancement	Significant Advancement
Falkland Islands (Islas Malvinas)	EUR	Minimal Advancement	Minimal Advancement
Fiji	AP	Moderate Advancement	Moderate Advancement
Gabon	AF	Moderate Advancement	Minimal Advancement
Gambia, The	AF	Minimal Advancement	Moderate Advancement
Georgia	EUR	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
Ghana	AF	Moderate Advancement	Significant Advancement
Grenada	LAC	Minimal Advancement	Minimal Advancement
Guatemala	LAC	Significant Advancement	Significant Advancement
Guinea	AF	Minimal Advancement	Moderate Advancement
Guinea-Bissau	AF	Minimal Advancement	Moderate Advancement
Guyana	LAC	Minimal Advancement	Moderate Advancement
Haiti	LAC	Moderate Advancement	Moderate Advancement
Honduras	LAC	Moderate Advancement	Moderate Advancement
India	AP	Moderate Advancement	Moderate Advancement
Indonesia	AP	Moderate Advancement	Moderate Advancement
Iraq	MENA	Moderate Advancement	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement
Jamaica	LAC	Moderate Advancement	Moderate Advancement
Jordan	MENA	Significant Advancement	Moderate Advancement
Kazakhstan	AP	Moderate Advancement	Moderate Advancement
Kenya	AF	Minimal Advancement	Moderate Advancement
Kiribati	AP	Moderate Advancement	Minimal Advancement
Kosovo	EUR	Moderate Advancement	Significant Advancement
Kyrgyz Republic	AP	Moderate Advancement	Moderate Advancement
Lebanon	MENA	Moderate Advancement	Moderate Advancement
Lesotho	AF	Moderate Advancement	Minimal Advancement

Appendix 1.

Comparisons in Assessments from 2015 to 2016, by Country (Continued)

COUNTRY	REGION	2015 ASSESSMENT	2016 ASSESSMENT
Liberia	AF	Moderate Advancement	Moderate Advancement
Macedonia	EUR	Moderate Advancement	Moderate Advancement
Madagascar	AF	Moderate Advancement	Moderate Advancement
Malawi	AF	Moderate Advancement	Moderate Advancement
Maldives	AP	Minimal Advancement	Moderate Advancement
Mali	AF	Moderate Advancement	Significant Advancement
Mauritania	AF	Moderate Advancement	Minimal Advancement – Efforts Made but Continued Policy that Delayed Advancement
Mauritius	AF	Moderate Advancement	Moderate Advancement
Moldova	EUR	Moderate Advancement	Moderate Advancement
Mongolia	AP	Moderate Advancement	Moderate Advancement
Montenegro	EUR	Significant Advancement	Moderate Advancement
Montserrat	EUR	No Advancement	Minimal Advancement
Morocco	MENA	Moderate Advancement	Significant Advancement
Mozambique	AF	Moderate Advancement	Minimal Advancement
Namibia	AF	Moderate Advancement	Moderate Advancement
Nepal	AP	Moderate Advancement	Moderate Advancement
Nicaragua	LAC	Moderate Advancement	Moderate Advancement
Niger	AF	Moderate Advancement	Moderate Advancement
Nigeria	AF	Moderate Advancement	Moderate Advancement
Niue	AP	No Advancement	No Advancement
Norfolk Island	AP	No Advancement	Minimal Advancement
Oman	MENA	Moderate Advancement	Moderate Advancement
Pakistan	AP	Moderate Advancement	Moderate Advancement
Panama	LAC	Significant Advancement	Significant Advancement
Papua New Guinea	AP	Minimal Advancement	Minimal Advancement
Paraguay	LAC	Significant Advancement	Significant Advancement
Peru	LAC	Significant Advancement	Significant Advancement
Philippines	AP	Significant Advancement	Significant Advancement
Rwanda	AF	Moderate Advancement	Moderate Advancement
Saint Helena, Ascension, and Tristán da Cunha	EUR	No Advancement	Minimal Advancement
Saint Lucia	LAC	Moderate Advancement	Moderate Advancement
Saint Vincent and the Grenadines	LAC	Minimal Advancement	Moderate Advancement
Samoa	AP	Minimal Advancement	Moderate Advancement
São Tomé and Príncipe	AF	Minimal Advancement	Minimal Advancement
Senegal	AF	Moderate Advancement	Minimal Advancement
Serbia	EUR	Minimal Advancement	Moderate Advancement
Seychelles	AF	Minimal Advancement	Minimal Advancement

Appendix 1.

Comparisons in Assessments from 2015 to 2016, by Country (Continued)

COUNTRY	REGION	2015 ASSESSMENT	2016 ASSESSMENT
Sierra Leone	AF	Minimal Advancement – Efforts Made but Regression in Policy that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Policy that Delayed Advancement
Solomon Islands	AP	Moderate Advancement	Minimal Advancement
Somalia	AF	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
South Africa	AF	Moderate Advancement	Moderate Advancement
South Sudan	AF	No Advancement – Efforts Made but Complicit in Forced Child Labor	No Advancement – Efforts Made but Complicit in Forced Child Labor
Sri Lanka	AP	Moderate Advancement	Moderate Advancement
Suriname	LAC	Minimal Advancement	Minimal Advancement
Swaziland	AF	No Advancement – Efforts Made but Complicit in Forced Child Labor	No Advancement – Efforts Made but Complicit in Forced Child Labor
Tanzania	AF	Moderate Advancement	Minimal Advancement – Efforts Made but Continued Policy that Delayed Advancement
Thailand	AP	Moderate Advancement	Significant Advancement
Timor-Leste	AP	Moderate Advancement	Moderate Advancement
Togo	AF	Moderate Advancement	Moderate Advancement
Tokelau	AP	No Advancement	No Advancement
Tonga	AP	No Advancement	Minimal Advancement
Tunisia	MENA	Moderate Advancement	Significant Advancement
Turkey	EUR	Moderate Advancement	Moderate Advancement
Tuvalu	AP	Minimal Advancement	Minimal Advancement
Uganda	AF	Significant Advancement	Significant Advancement
Ukraine	EUR	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
Uruguay	LAC	Moderate Advancement	Minimal Advancement
Uzbekistan	AP	No Advancement – Efforts Made but Complicit in Forced Child Labor	No Advancement – Efforts Made but Complicit in Forced Child Labor
Vanuatu	AP	No Advancement	Minimal Advancement
Venezuela	LAC	Minimal Advancement	Minimal Advancement
Wallis and Futuna	EUR	No Assessment	No Assessment
West Bank and the Gaza Strip	MENA	Minimal Advancement	Minimal Advancement
Western Sahara	MENA	Moderate Advancement	Significant Advancement
Yemen	MENA	No Advancement	Minimal Advancement
Zambia	AF	Moderate Advancement	Moderate Advancement
Zimbabwe	AF	Minimal Advancement	Moderate Advancement

Laws and Ratifications, by Country

Country	Region	2016 Assessment	ILO C. 138	ILO C. 182	CRC	CRC Optional Protocols		Palermo Protocol	Minimum Ages for Work			Education	
						CRC- CSEC	CRC- AC		Min Age/ Work	Min Age/ Haz Work	Compulsory Education Age	Free Public Education	
Afghanistan	AP	Moderate Advancement	X	X	X	X	X	X	15	18	15	X	
Albania	EUR	Significant Advancement	X	X	X	X	X	X	16	18	16	X	
Algeria	MENA	Moderate Advancement	X	X	X	X	X	X	16	18	16	X	
Angola	AF	Moderate Advancement	X	X	X	X	X	X	14	18	12	X	
Anguilla	EUR	Minimal Advancement			X				12	14	17	X	
Argentina	LAC	Significant Advancement	X	X	X	X	X	X	16	18	18	X	
Armenia	EUR	Minimal Advancement - Efforts Made but Continued Law that Delayed Advancement	X	X	X	X	X	X	16	18	16	X	
Azerbaijan	EUR	Minimal Advancement- Efforts Made but Regression in Practice that Delayed Advancement	X	X	X	X	X	X	15	18	15	X	
Bahrain	MENA	Moderate Advancement	X	X	X	X	X	X	15	18	15	X	
Bangladesh	AP	Minimal Advancement		X	X	X	X		14	18	11	X	
Belize	LAC	Minimal Advancement	X	X	X	X	X	X	12	14	14	X	
Benin	AF	Minimal Advancement	X	X	X	X	X	X	14	18	16	X	
Bhutan	AP	Moderate Advancement	N/A	N/A	X	X	X		13	18	N/A	X	
Bolivia	LAC	Minimal Advancement - Efforts Made but Continued Law that Delayed Advancement	X	X	X	X	X	X	14	18	17	X	
Bosnia and Herzegovina	EUR	Moderate Advancement	X	X	X	X	X	X	15	18	15	X	
Botswana	AF	Moderate Advancement	X	X	X	X	X	X	15	18	N/A	X	
Brazil	LAC	Significant Advancement	X	X	X	X	X	X	16	18	17	X	
British Virgin Islands	EUR	Minimal Advancement			X				16	18	17	X	
Burkina Faso	AF	Moderate Advancement	X	X	X	X	X	X	16	18	16	X	
Burma	AP	No Assessment		X	X	X	X	X	14	18	10	X	

Appendix 2.

Laws and Ratifications, by Country (Continued)

Country	Region	2016 Assessment	ILO C. 138	ILO C. 182	CRC	CRC Optional Protocols		Palermo Protocol	Minimum Ages for Work		Education	
						CRC- CSEC	CRC- AC		Min Age/ Work	Min Age/ Haz Work	Compulsory Education Age	Free Public Education
Burundi	AF	Minimal Advancement	X	X	X	X	X	X	16	18	12	X
Cabo Verde	AF	Moderate Advancement	X	X	X	X	X	X	15	18	15	X
Cambodia	AP	Moderate Advancement	X	X	X	X	X	X	15	18	N/A	X
Cameroon	AF	Moderate Advancement	X	X	X	X	X	X	14	18	12	X
Central African Republic	AF	Moderate Advancement	X	X	X	X	X	X	14	18	15	X
Chad	AF	Moderate Advancement	X	X	X	X	X	X	14	18	16	X
Chile	LAC	Significant Advancement	X	X	X	X	X	X	15	18	18	X
Christmas Island	AP	No Advancement	X	X	X	X	X	X	15	18	17.5	X
Cocos (Keeling) Island	AP	No Advancement	X	X	X	X	X	X	15	18	17.5	X
Colombia	LAC	Significant Advancement	X	X	X	X	X	X	15	18	18	X
Comoros	AF	Moderate Advancement	X	X	X	X	X	X	15	18	12	X
Congo, Dem Rep of	AF	Significant Advancement	X	X	X	X	X	X	18	18	12	X
Congo, Rep of	AF	Minimal Advancement	X	X	X	X	X	X	16	18	16	X
Cook Islands	AP	Minimal Advancement	X	X	X	X	X	X	13	18	16	X
Costa Rica	LAC	Significant Advancement	X	X	X	X	X	X	15	18	17	X
Côte d'Ivoire	AF	Significant Advancement	X	X	X	X	X	X	16	18	16	X
Djibouti	AF	Minimal Advancement	X	X	X	X	X	X	16	18	16	X
Dominica	LAC	Minimal Advancement	X	X	X	X	X	X	16	18	16	X
Dominican Republic	LAC	Minimal Advancement - Efforts Made but Continued Practice that Delayed Advancement	X	X	X	X	X	X	14	18	18	X
Ecuador	LAC	Significant Advancement	X	X	X	X	X	X	15	18	15	X
Egypt	MENA	Moderate Advancement	X	X	X	X	X	X	15	18	15	X

Appendix 2.

Laws and Ratifications, by Country (Continued)

Country	Region	2016 Assessment	ILO C. 138	ILO C. 182	CRC	CRC Optional Protocols		Palermo Protocol	Minimum Ages for Work			Education	
						CRC- CSEC	CRC- AC		Min Age/ Work	Min Age/ Haz Work	Compulsory Education Age	Free Public Education	
El Salvador	LAC	Moderate Advancement	X	X	X	X	X	X	14	18	18	X	
Eritrea	AF	No Advancement - No Efforts Made and Complicit in Forced Child Labor	X		X	X		X	14	N/A	N/A		
Ethiopia	AF	Significant Advancement	X	X	X	X	X	X	14	18	N/A		
Falkland Islands (Islas Malvinas)	EUR	Minimal Advancement		X	X				14	15	16	X	
Fiji	AP	Moderate Advancement	X	X	X				15	18	15		
Gabon	AF	Minimal Advancement	X	X	X	X	X	X	16	18	16	X	
Gambia, The	AF	Moderate Advancement	X	X	X	X	X	X	16	18	12	X	
Georgia	EUR	Minimal Advancement - Efforts Made but Continued Law that Delayed Advancement	X	X	X	X	X	X	16	18	15	X	
Ghana	AF	Significant Advancement	X	X	X	X	X	X	15	18	15	X	
Grenada	LAC	Minimal Advancement	X	X	X	X	X	X	16	N/A	16	X	
Guatemala	LAC	Significant Advancement	X	X	X	X	X	X	14	18	15	X	
Guinea	AF	Moderate Advancement	X	X	X	X	X	X	16	18	16	X	
Guinea-Bissau	AF	Moderate Advancement	X	X	X	X	X	X	14	18	15		
Guyana	LAC	Moderate Advancement	X	X	X	X	X	X	15	18	15	X	
Haiti	LAC	Moderate Advancement	X	X	X	X	X	X	15	18	15	X	
Honduras	LAC	Moderate Advancement	X	X	X	X	X	X	14	18	17	X	
India	AP	Moderate Advancement	X	X	X	X	X	X	14	18	15	X	
Indonesia	AP	Moderate Advancement	X	X	X	X	X	X	15	18	15	X	

Appendix 2.

Laws and Ratifications, by Country (Continued)

Country	Region	2016 Assessment	ILO C. 138	ILO C. 182	CRC	CRC Optional Protocols		Palermo Protocol	Minimum Ages for Work		Education	
						CRC- CSEC	CRC- AC		Min Age/ Work	Min Age/ Haz Work	Compulsory Education Age	Free Public Education
Iraq	MENA	Minimal Advancement - Efforts Made but Regression in Practice that Delayed Advancement	X	X	X	X		X	15	18	12/15	X
Jamaica	LAC	Moderate Advancement	X	X	X	X		X	15	18	16	X
Jordan	MENA	Moderate Advancement	X	X	X	X		X	16	18	16	X
Kazakhstan	AP	Moderate Advancement	X	X	X	X		X	16	18	17	X
Kenya	AF	Moderate Advancement	X	X	X	X		X	16	18	14	X
Kiribati	AP	Minimal Advancement	X	X	X	X		X	14	18	16	X
Kosovo	EUR	Significant Advancement	N/A	N/A	N/A	N/A		N/A	15	18	15	X
Kyrgyz Republic	AP	Moderate Advancement	X	X	X	X		X	16	18	15	X
Lebanon	MENA	Moderate Advancement	X	X	X	X		X	14	18	15	X
Lesotho	AF	Minimal Advancement	X	X	X	X		X	15	18	13	X
Liberia	AF	Moderate Advancement	X	X	X	X		X	16	18	15	X
Macedonia	EUR	Moderate Advancement	X	X	X	X		X	15	18	16	X
Madagascar	AF	Moderate Advancement	X	X	X	X		X	15	18	16	X
Malawi	AF	Moderate Advancement	X	X	X	X		X	14	18	18	X
Maldives	AP	Moderate Advancement	X	X	X	X		X	16	18	16	X
Mali	AF	Significant Advancement	X	X	X	X		X	14	18	15	X
Mauritania	AF	Minimal Advancement - Efforts Made but Continued Policy that Delayed Advancement	X	X	X	X		X	14	18	14	X
Mauritius	AF	Moderate Advancement	X	X	X	X		X	16	18	16	X
Moldova	EUR	Moderate Advancement	X	X	X	X		X	16	18	16	X
Mongolia	AP	Moderate Advancement	X	X	X	X		X	16	18	16	X

Appendix 2.

Laws and Ratifications, by Country (Continued)

Country	Region	2016 Assessment	ILO C. 138	ILO C. 182	CRC	CRC Optional Protocols		Palermo Protocol	Minimum Ages for Work			Education	
						CRC- CSEC	CRC- AC		Min Age/ Work	Min Age/ Haz Work	Compulsory Education Age	Free Public Education	
Montenegro	EUR	Moderate Advancement	X	X	X	X	X	X	15	18	15	X	
Montserrat	EUR	Minimal Advancement							16	18	16	X	
Morocco	MENA	Significant Advancement	X	X	X	X	X	X	15	18	15	X	
Mozambique	AF	Minimal Advancement	X	X	X	X	X	X	15	18	13	X	
Namibia	AF	Moderate Advancement	X	X	X	X	X	X	14	18	16	X	
Nepal	AP	Moderate Advancement	X	X	X	X	X	X	14	16	13	X	
Nicaragua	LAC	Moderate Advancement	X	X	X	X	X	X	14	18	12	X	
Niger	AF	Moderate Advancement	X	X	X	X	X	X	14	16	N/A	X	
Nigeria	AF	Moderate Advancement	X	X	X	X	X	X	12	18	15	X	
Niue	AP	No Advancement			X				N/A	N/A	16	X	
Norfolk Island	AP	Minimal Advancement		X	X	X	X	X	N/A	N/A	17	X	
Oman	MENA	Moderate Advancement	X	X	X	X	X	X	16	18	16	X	
Pakistan	AP	Moderate Advancement	X	X	X	X	X	X	15	15	16	X	
Panama	LAC	Significant Advancement	X	X	X	X	X	X	14	18	15	X	
Papua New Guinea	AP	Minimal Advancement	X	X	X				16	18	N/A		
Paraguay	LAC	Significant Advancement	X	X	X	X	X	X	14	18	15	X	
Peru	LAC	Significant Advancement	X	X	X	X	X	X	14	18	17	X	
Philippines	AP	Significant Advancement	X	X	X	X	X	X	15	18	18	X	
Rwanda	AF	Moderate Advancement	X	X	X	X	X	X	16	18	16	X	
Saint Helena, Ascension, and Tristan da Cunha	EUR	Minimal Advancement		X	X				N/A	18	16	X	
Saint Lucia	LAC	Moderate Advancement		X	X	X	X	X	15	18	15	X	
Saint Vincent and the Grenadines	LAC	Moderate Advancement	X	X	X	X	X	X	14	14	16	X	

Appendix 2.

Laws and Ratifications, by Country (Continued)

Country	Region	2016 Assessment	ILO C. 138	ILO C. 182	CRC	CRC Optional Protocols		Palermo Protocol	Minimum Ages for Work		Education	
						CRC- CSEC	CRC- AC		Min Age/ Work	Min Age/ Haz Work	Compulsory Education Age	Free Public Education
Samoa	AP	Moderate Advancement	X	X	X	X	X		15	18	14	
São Tomé and Príncipe	AF	Minimal Advancement	X	X	X			X	14	18	12	X
Senegal	AF	Minimal Advancement	X	X	X	X	X	X	15	18	16	X
Serbia	EUR	Moderate Advancement	X	X	X	X	X	X	15	18	15	X
Seychelles	AF	Minimal Advancement	X	X	X	X	X	X	15	18	16	X
Sierra Leone	AF	Minimal Advancement - Efforts Made but Continued Policy that Delayed Advancement	X	X	X	X	X	X	15	18	15	X
Solomon Islands	AP	Minimal Advancement	X	X	X				12	N/A	N/A	
Somalia	AF	Minimal Advancement - Efforts Made but Continued Practice that Delayed Advancement		X	X				15	18	N/A	X
South Africa	AF	Moderate Advancement	X	X	X	X	X	X	15	18	15	X
South Sudan	AF	No Advancement - Efforts Made But Complicit in Forced Child Labor	X	X	X				14	18	13	X
Sri Lanka	AP	Moderate Advancement	X	X	X	X	X	X	14	18	16	X
Suriname	LAC	Minimal Advancement		X	X	X	X	X	14	18	12	X
Swaziland	AF	No Advancement - Efforts Made But Complicit in Forced Child Labor	X	X	X	X	X	X	15	18	N/A	X
Tanzania	AF	Minimal Advancement - Efforts Made but Continued Policy that Delayed Advancement	X	X	X	X	X	X	14/15	18	14	

Appendix 2.

Laws and Ratifications, by Country (Continued)

Country	Region	2016 Assessment	ILO C. 138	ILO C. 182	CRC	CRC Optional Protocols		Palermo Protocol	Minimum Ages for Work			Education	
						CRC- CSEC	CRC- AC		Min Age/ Work	Min Age/ Haz Work	Compulsory Education Age	Free Public Education	
Thailand	AP	Significant Advancement	X	X	X	X	X	X	15	18	16	X	
Timor-Leste	AP	Moderate Advancement		X	X	X	X	X	15	17	16	X	
Togo	AF	Moderate Advancement	X	X	X	X	X	X	15	18	15	X	
Tokelau	AP	No Advancement							N/A	N/A	16	X	
Tonga	AP	No Advancement			X				N/A	N/A	18		
Tunisia	MENA	Significant Advancement	X	X	X	X	X	X	16	18	16	X	
Turkey	EUR	Moderate Advancement	X	X	X	X	X	X	15	18	17	X	
Tuvalu	AP	Minimal Advancement			X				14	15	15		
Uganda	AF	Significant Advancement	X	X	X	X	X	X	16	18	13	X	
Ukraine	EUR	Minimal Advancement - Efforts Made but Continued Law that Delayed Advancement	X	X	X	X	X	X	16	18	17	X	
Uruguay	LAC	Minimal Advancement	X	X	X	X	X	X	15	18	17	X	
Uzbekistan	AP	No Advancement - Efforts Made But Complicit in Forced Child Labor	X	X	X	X	X	X	16	18	18	X	
Vanuatu	AP	Minimal Advancement		X	X	X	X	X	14	15	N/A		
Venezuela	LAC	Minimal Advancement	X	X	X	X	X	X	14	18	15	X	
Wallis and Futuna	EUR	No Assessment	X	X	X	X	X	X	16	18	16	X	
West Bank and the Gaza Strip	MENA	Minimal Advancement	N/A	N/A	X	N/A	X	N/A	15	18	16	X	
Western Sahara	MENA	Significant Advancement	X	X	X	X	X	X	15	18	15	X	
Yemen	MENA	Minimal Advancement	X	X	X	X	X	X	14	18	15	X	
Zambia	AF	Moderate Advancement	X	X	X	X	X	X	15	18	N/A	X	
Zimbabwe	AF	Moderate Advancement	X	X	X	X	X	X	16	18	12		



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On December 13, 2016, in Yemen, a smiling girl and her classmates are students at Huthaifa School, in Sana'a, the capital. Escalated conflict has exacerbated the already critical humanitarian situation in Yemen – where basic social services are on the verge of collapse, leaving millions of people without access to health care and safe water and adequate sanitation, as well as thousands of children out of school. An ongoing UNICEF Back to School campaign in coordination with the Ministry of Education and other education partners is helping to promote and facilitate children's access to protective learning environments, including through school repair, the establishment of temporary learning spaces and the provision of educational supplies.

Reference Materials

CHILDREN'S WORK AND EDUCATION STATISTICS: SOURCES AND DEFINITIONS

Approximately 121 countries in this report include a statistical table (Table 1. Statistics on Children's Work and Education) with data on the percentage of working children, school attendance rate, percentage of children who combine school and work, and/or primary completion rate. For a smaller set of profiles, the percentage of children who work by sector is provided in a chart in each profile.

This section provides definitions and describes the sources for these data. This section also discusses some of the strengths and weaknesses of these data. While in a few cases, more current sources of data may be available than those used here, this report uses the most reliable, standardized sources available to date to allow for cross-country comparisons. Because reliable child labor surveys are not available for many countries, in some cases, USDOL uses statistics from child labor surveys that are more than 10 years old (data from 2006) at the time of writing this report. In the event that data did not exist from the sources described below, no other reliable and publicly available source of data exists for a country, or data exists but has not been analyzed to allow for cross-country comparisons, the report concludes that the statistics are "unavailable."

Working Children (Children in Employment)

Many of the statistical tables in the country profiles in this report present data on the percentage and number of working children (children in employment) in the country in question. Data presented in the current report may differ from data that were presented in previous reports because more updated data have become available.

Definition

"Working children" or "children in employment" are those engaged in any economic activity for at least 1 hour during the reference period. Economic activity includes market production and certain types of non-market production (principally the production of goods and services for own use). The work children perform may be in the formal or informal economy, inside or outside family settings, or for pay or profit. This includes children working in domestic service outside the child's own household for an employer (paid or unpaid). This definition is in accordance with the *Resolution Concerning Statistics of Child Labour (Resolution II)* adopted by the 18th International Conference of Labour Statisticians in 2008, and the report *Marking Progress Against Child Labour*, published by the ILO in 2013.^(1, 2)

Children in Employment Versus Child Labor

This report presents statistics on working children rather than children involved in child labor (for the precise definitions of these terms, please see the "Definitions Related to Child Labor" section). The definition of working children does not vary among countries. For this reason, statistics on working children are comparable across countries. In contrast, child labor statistics are based on national legislation, including, for example, the minimum age for work, which varies from country to country. As a result, child labor data are not comparable across countries.

Data Sources and Limitations

Data are from UCW project analysis of primarily four survey types: (1) the ILO's SIMPOC surveys; (2) UNICEF's Multiple Indicator Cluster Surveys (MICS); (3) national Labor Force Surveys (LFS); and (4) other national and regional level household surveys, including Demographic and Health Surveys (DHS).⁽³⁾

According to the UCW researchers, typical surveys on children's work do not collect sufficient detailed information on children's activities to accurately measure economic activity.⁽⁴⁾ This sentiment was echoed in December 2008 at the 18th International Conference of Labor Statisticians. A resolution was adopted at the conference that provides guidelines for governments on collecting child labor data. Specifically, the guidance indicates that countries may choose to use a broad framework to measure children's work and child labor that encompasses unpaid household

services or that countries may use a narrower definition of children’s work that excludes such services, as long as the definition used is clearly specified.⁽⁵⁾ This resolution is contributing to the collection of more comparable data on children’s involvement in non-market activities.

In analyzing the data from the above-mentioned surveys, the UCW attempted to apply a standard definition of children’s work. Although UNICEF MICS and ILO SIMPOC reports, for example, each use a different definition of work (as of the writing of this report, MICS reports include household chores in their definition of work, while SIMPOC reports do not), to the extent possible, the UCW applied a common definition of work to the micro-data described. To date, this has resulted in the individual analysis of more than 184 data sets. While every attempt was made to present a standardized child work statistic, there are differences across surveys that have the potential to affect the comparability of statistics across countries and across years. Some of these differences are explained in greater detail here but, in general, include differing age groups, questionnaire content and wording, purpose of the survey, sample design, non-sampling errors, and year of data collection.

In general, data are presented for children ages 5–14, but some of the profiles present a work statistic for children ages 6–14, 7–14, or 10–14, depending on the age categories used in the original survey. The wording of work-related questions may also impact the results. For example, the question on work in these surveys usually refers to work during the past 7 days; however, some surveys may refer to work activities during the past 12 months, and are therefore likely to capture a higher proportion of working children than surveys with 7-day timeframes. The purpose of the survey—whether the survey is designed specifically to measure children’s work and child labor (SIMPOC surveys) or to measure the labor force participation of adults—may affect estimates of children’s work.⁽⁶⁾ In addition, sample design may impact survey results. For example, children’s work is often geographically clustered, and SIMPOC surveys are designed to capture children’s work in such geographic areas. As a result, estimates of working children will vary across surveys that do not use the same sample design.⁽⁷⁾ The ILO, UNICEF, and the UCW continue to investigate the effects of these survey differences on estimates of children’s work.

As noted, some country profiles also include the sector in which children reportedly work. For some surveys, sector of work was not reported by the entire sample of working children. Therefore, the distribution of children working by sector (i.e., agriculture, industry, and services) represents children with non-missing data for the sector of work. For more information on the sectors of work reported in the chart, see Table 1 in “Formats.”

Percentage of Children Attending School

The percentage of children attending school is the share of all children within a specified age group that reported attending school. The UCW project data described above in the section “Working Children” are used to develop country-specific school attendance statistics. To be consistent with estimates of working children, the age group for which attendance statistics are calculated for children is generally ages 5–14. In some cases, however, different age categories are used, usually ages 6–14 or ages 7–14.

Percentage of Children Combining Work and School

The percentage of children who combine work and school is the share of all children within a specified age group reporting both working and attending school. The UCW project data described above in the section “Working Children” are used to develop country-specific statistics on children combining work and school. The age group for which these statistics are calculated is usually for children ages 7–14.

Primary Completion Rate

This report uses the “gross intake ratio to the last grade of primary education” as a proxy measure for primary completion. This ratio is the total number of new entrants in the last grade of primary education, regardless of age, expressed as a percentage of the population at the theoretical entrance age to the last grade of primary education. A high ratio indicates a high degree of current primary education completion. The calculation includes all new entrants to the last grade (regardless of age). Therefore, the ratio can exceed 100 percent, due to over-aged and under-aged children who enter primary school late/early and/or repeat grades.

Data Sources and Limitations

Unlike the other statistics presented in the country data tables, which are all based on the UCW analysis as described above, primary completion rate data are from the UNESCO Institute for Statistics. The data were downloaded on December 16, 2016, and are available at <http://data.uis.unesco.org/>. For more information on this statistic, please see the UNESCO Institute for Statistics Glossary at <http://uis.unesco.org/en/glossary>.

UNESCO uses population estimates from the United Nations Population Division (UNDP) to calculate some of the rates it publishes, including the gross intake ratio to last grade of primary education. These population estimates change over time. (The last revision that affected the statistics used in this report was in 2015.) All population-based indicators, including gross intake ratio to last grade of primary education, for all years are re-calculated using these latest estimates. For some countries/years, when the new UNDP population estimates are found to be inconsistent with education data, related indicators are removed. All updates made to UNESCO data on gross intake ratio to last grade of primary education are reflected in the primary completion rate statistic included in this report.

GLOSSARY OF TERMS

Basic Education

Article 7(c) of ILO C. 182 requires countries to “ensure access to free basic education.” According to the International Standard Classification of Education, basic education corresponds to the first 9 years of formal schooling and is comprised of primary and lower secondary education. Primary education is considered to be the first stage of “basic education” and covers 6 years of full-time schooling, with the legal age of entrance normally being not younger than 5 years or older than 7 years. It is designed to give pupils a sound basis in reading, writing, and mathematics, along with an elementary understanding of other subjects, such as history, geography, natural science, social science, religion, art, and music. Lower secondary education is more subject-focused and requires specialized teachers. It corresponds to some 3 years of schooling and marks the end of compulsory education where it exists. Basic education can also include a wide variety of non-formal and informal public and private educational activities offered to meet the defined basic learning needs of groups of people of all ages.

Article 13 of the 1966 International Covenant on Economic, Social and Cultural Rights indicates that primary education should be compulsory and free to all. Secondary education, including technical and vocational education, should be available and accessible to all, and free education should be progressively introduced. Article 28 of the 1989 Convention on the Rights of the Child affirms the right of the child to education and the state’s duty to ensure that primary education is free and compulsory.

Sources: ILO Convention No. 182, *Worst Forms of Child Labor*, 1999; <http://www.ilo.org/ipecc/facts/ILOconventionsonchildlabour/lang-en/index.htm>. See also UNESCO. Glossary. <http://uis.unesco.org/en/glossary>. See also UNESCO, Institute for Statistics. *Fixing the Broken Promise of Education for All*. 2015; 132; <http://www.uis.unesco.org/Education/Documents/oosci-global-report-en.pdf>. See also UNESCO, Institute for Statistics. *International Standard Classification of Education 2011*. 2012; <http://www.uis.unesco.org/Education/Documents/isced-2011-en.pdf>. See also UNESCO. *The Right to Education: Law and Policy Review Guidelines*. 2014; <http://unesdoc.unesco.org/images/0022/002284/228491e.pdf>.

Bonded Labor

Bonded labor or debt bondage is “the status or condition arising from a pledge by a debtor of his personal services or those of a person under his control as security for a debt if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined,” as defined in the UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956).

Bonded labor typically occurs when a person who needs a loan, and has no security to offer, pledges his/her labor, or that of someone under his/her control, as security for a loan. In some cases, the interest on the loan may be so high that it cannot be paid. In others, it may be deemed that the bonded individual’s work repays the interest on the loan, but not the principal. Thus, the loan is inherited and perpetuated, and becomes an inter-generational debt.

Bonded labor is prohibited as one of the worst forms of child labor in ILO C. 182.

Sources: UN. *Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery*. September 7, 1956; <http://www.ohchr.org/EN/ProfessionalInterest/Pages/SupplementaryConventionAbolitionOfSlavery.aspx>. See also U.S. Department of Labor. *By the Sweat and Toil of Children, Vol. I: The Use of Child Labor in U.S. Manufactured and Mined Imports*. Washington, DC; 1994; 18. See also ILO-IPEC. *Child Labour: A Textbook for University Students*, Appendix 2: Glossary. Geneva; 2004; 287. See also ILO Convention No. 182, *Worst Forms of Child Labor*, 1999; <http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:1:0>.

Child Domestic Worker

Child domestic workers are children who work in third-party private households under an employment relationship. Child domestic workers engage in a variety of tasks, including cleaning, cooking, gardening, collecting water, and caring for children and the elderly. Child domestic workers sometimes have live-in arrangements, whereby they live in their employer's household and work in exchange for room, board, and sometimes education. Child domestic workers are vulnerable to the worst forms of child labor, including sexual, physical, and verbal abuse, in large part because they often depend on their employers for basic needs and work in locations hidden from public view.

Sources: ILO Convention 189, *Decent Work for Domestic Workers*, 2011; <http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:1:0>. See also ILO. *Ending Child Labour in Domestic Work and Protecting Young Workers from Abusive Working Conditions*. Geneva; 2013; 1, 3.

Child Labor Elimination Projects

Since 1995, USDOL has funded more than 300 projects in 93 countries. ILAB currently oversees more than \$270 million of active programming to combat exploitative child labor. To date, USDOL-funded child labor elimination projects have rescued approximately 1.9 million children from exploitative child labor and have improved livelihoods for more than 28,000 vulnerable families to reduce their reliance on child labor.

Source: U.S. Department of Labor, Bureau of International Labor Affairs, Projects; <https://www.dol.gov/ilab/projects/>.

Child Trafficking

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, provides a commonly accepted definition of "human trafficking." With regard to child trafficking, it states: "the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered 'trafficking in persons' even if this does not involve any of the means set forth in subparagraph (a) of this Article." Therefore, there does not need to be abuse of power, control, coercion, or fraud present in order to constitute child trafficking, as the definition for adults requires. It states: "(a) 'trafficking in persons' shall mean the recruitment, transportation, transfer, harbouring, or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs."

The trafficking of children is prohibited as a worst form of child labor in ILO C. 182, Article 3(a).

Sources: UNODC. *United Nations Convention Against Transnational Organized Crime and the Protocols Thereto*. 2004; 41; <http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>. See also ILO Convention No. 182, *Worst Forms of Child Labor*, 1999; <http://www.ilo.org/ilolex/english/convdisp2.htm>.

Commercial Sexual Exploitation of Children

Based on the 1996 Declaration and Agenda for Action of the First World Congress Against the Commercial Sexual Exploitation of Children, "commercial sexual exploitation of children" (CSEC) is defined as "sexual abuse by the adult and remuneration in cash or kind to the child or third person or persons." The remuneration dynamic distinguishes CSEC from the sexual abuse of a child where commercial gain is absent, although sexual exploitation is also abuse. The CSEC includes:

- Prostitution in the streets or indoors, in such places as brothels, discotheques, massage parlors, bars, hotels, and restaurants, among others;
- Child sex tourism;
- The production, promotion, and distribution of pornography involving children; and
- The use of children in sex shows (public or private).

ILO C. 182 Article 3(a) prohibits the sale and trafficking of children and the use, procuring, or offering of a child for prostitution or for the production of pornography or for pornographic performances.

Sources: *Declaration and Agenda for Action of the First World Congress Against the Commercial Sexual Exploitation of Children*, Stockholm, August 27–31, 1996; http://www.unicef.org/lac/spbarbados/Planning/Global/Child%20protection/The%20Stockholm%20Declaration%20and%20Agenda%20for%20Action_1996.doc. See also UNICEF. *Child Protection Information Sheet: Commercial Sexual Exploitation*. May 2006; http://www.unicef.org/eapro/Fact_sheet_SexualExploitation.pdf. See also ECPAT International. "CSEC Terminology." http://resources.ecpat.net/EI/Csec_definition.asp. See also ILO Convention No. 182, *Worst Forms of Child Labor*, 1999; <http://www.ilo.org/ipecc/facts/ILOconventionsonchildlabour/lang-en/index.htm>.

Compulsory Education Age

The age up to which children and youth are legally required to attend school.

Source: UNESCO. "Glossary." <http://uis.unesco.org/en/glossary>.

Convention on the Rights of the Child

The Convention on the Rights of the Child spells out the basic rights of children, such as the right to survival; to develop to the fullest; to be protected from harmful influences, abuse, and exploitation; and to participate fully in family, cultural, and social life. The Convention protects children's rights by setting standards in health care; education; and legal, civil, and social services. According to Article 32 of the Convention, children have the right "to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral, or social development."

Source: Office of the United Nations High Commissioner for Human Rights. *Convention on the Rights of the Child*. Entered into force September 2, 1990; <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>.

Hazardous Work

Article 3(d) of ILO C. 182 sets forth the following as a worst form of child labor: "work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children." This is referred to as "hazardous work" colloquially. Countries must determine what type of work is considered hazardous work by law or regulation. ILO Recommendation 190 (ILO R.190) includes items that countries may wish to consider in determining which types of work are hazardous.

Sources: ILO Convention No. 182, *Worst Forms of Child Labor*, 1999; <http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:1:0>. See also ILO Recommendation 190, *Recommendation Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor*, 1999; <http://www.ilo.org/ilolex/english/convdisp2.htm>.

Illicit Activities

ILO C. 182, Article 3(c) prohibits "the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs." Illicit activities in this context can include crimes, but the activity need not be illegal in order to be considered illicit. According to ILO R. 190 and the General Survey on the Fundamental Conventions Concerning Rights at Work, illicit activities can include "activities which involve the unlawful carrying or use of firearms or other weapons," as well as "the use of children by criminal organizations for transporting weapons and carrying out arson attacks or destroying public or private property, illicit activities such as housebreaking and petty theft, and that there are reports of children being engaged by adults in car breaking, housebreaking, selling drugs and selling stolen goods, ...use of children for forced or organized begging, gambling, the unlawful carrying or use of firearms or other weapons, or for the commission of an offence or a crime using violence or the threat of violence."

Sources: ILO Convention No. 182, *Worst Forms of Child Labor*, 1999; <http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:1:0>. See also ILO Recommendation 190, *Recommendation Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor*, 1999; <http://www.ilo.org/ilolex/english/convdisp2.htm>. See also *General Survey on the Fundamental Conventions Concerning Rights at Work in Light of the ILO Declaration on Social Justice for a Fair Globalization, 2008*. International Labor Conference, 101st Session, 2012; http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@relconf/documents/meetingdocument/wcms_174846.pdf.

ILO Recommendation 190 (ILO R.190): Worst Forms of Child Labor

ILO R. 190 supplements the provisions of ILO C. 182 and provides guidance to ratifying countries regarding its implementation. It provides guidelines to assist countries in determining what type of work should be considered hazardous work and thus what type of work countries should prohibit for all children as a worst form of child labor, in accordance with Article 4 of ILO C. 182. The Recommendation describes populations in need of specific attention regarding the worst forms of child labor, such as girls and children involved in hidden forms of work. Finally, ILO R. 190 provides guidance regarding specific steps countries that have ratified ILO C. 182 should take in order to combat the worst forms of child labor, such as the collection and exchange of data on both the problem and best practices to address it; passage and enforcement of laws that penalize violations with criminal penalties; awareness raising about the problem; establishment of policies against the worst forms of child labor; and international cooperation through technical, legal, and other forms of assistance.

Source: ILO Recommendation 190, *Recommendation Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor*, 1999; <http://www.ilo.org/ilolex/english/convdisp2.htm>.

Informal Sector

While the concept of the informal sector was introduced into international usage in the 1970s, it was only in 1993 at the 15th International Conference of Labor Statisticians that an internationally-recognized definition for the purposes of data collection was established, delineating the “informal sector” as unincorporated, small and/or unregistered enterprises, and the employees of those enterprises. An enterprise is unincorporated if no complete set of accounts are available that would permit a financial separation of the activities of the enterprise from that of its owner(s), and it produces marketable goods or services. The registration and size criteria are determined according to national circumstances and legislation, which provides a degree of flexibility in identifying the informal sector from country to country. However, all interpretations of this sector share the notion of enterprises whose activities are not covered or are insufficiently covered by law or whose activities are not covered by law in practice, meaning that the relevant law is not applied or enforced. Workers in such enterprises often lack the benefits of regular, stable, and protected employment. Because employers in the informal sector are generally either not covered by labor laws or are not held accountable for complying with labor protections, including occupational safety measures, children who work in “hazardous” or “ultra-hazardous” informal settings likely face increased risk of exploitation, including injury. In addition, because businesses in the informal sector are not usually included in official statistics, children working in informal sector enterprises may not be counted in labor force activity rates.

Sources: ILO. *Women and Men in the Informal Economy: A Statistical Picture*. [online] 2002; <http://www.ilo.org/dyn/infoecon/docs/441/F596332090/women%20and%20men%20stat%20picture.pdf>. See also ILO. *Measuring informality: A statistical manual on the informal sector and informal employment*. [online] 2012; http://www.ilo.org/global/publications/ilo-bookstore/order-online/books/WCMS_222979/lang-en/index.htm.

Light Work

This report uses the definition of “light work” as established in ILO C. 138, *Minimum Age for Admission to Employment*. Under Article 7(1) of the Convention, “National laws or regulations may permit the employment or work of persons 13 to 15 years of age on light work which is—(a) not likely to be harmful to their health or development; and (b) not such as to prejudice their attendance at school, their participation in vocational orientation or training programmes approved by the competent authority or their capacity to benefit from the instruction received.” Countries that have specified a minimum legal working age of 14 may permit the employment or work of persons ages 12–14 in light work as defined in Article 7(1), but should specify limitations on their hours of work, as well as activities and conditions in which light work may be undertaken.

Source: ILO Convention No. 138, *Minimum Age for Admission to Employment (Entry into force: 19 Jun 1976)*, Article 3; <http://www.ilo.org/ilolex/english/convdisp2.htm>.

Minimum Age for Work

The minimum age for work is the age at which a child can enter into work. ILO C. 138 states that the minimum age for admission to employment should not be less than the age of completion of compulsory schooling and should not be less than age 15 or age 14 for developing countries who specified a minimum legal age of 14 upon ratification of C. 138.

Source: ILO-IPEC. *Child Labour: A Textbook for University Students*, Appendix 2: Glossary, 290. Geneva; 2004; <http://ilo.org/ipceinfo/product/viewProduct.do?productId=174>.

Non-Formal Education

Any organized educational activity outside the established formal school system—whether operating separately or as an important feature of some broader activity—that is intended to serve identifiable learning objectives. Non-formal or transitional education programs can enable former child workers to “catch up” or be “mainstreamed” with their peers who began their schooling at the appropriate age.

Source: ILO-IPEC. *Child Labour: A Textbook for University Students*, Appendix 2: Glossary, 290. Geneva; 2004; <http://ilo.org/ipceinfo/product/viewProduct.do?productId=174>.

Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict

This optional protocol, adopted in 2000, addresses and commits ratifying countries to take action against the involvement of children in armed conflict, which is a worst form of child labor per ILO C. 182, Article 3(a).

Source: UN Office of the High Commissioner on Human Rights. *Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict*. Entered into force February 12, 2002; <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPACCRC.aspx>.

Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography

This optional protocol, adopted in 2000, addresses and commits ratifying countries to take action against the commercial sexual exploitation of children, which is a worst form of child labor per ILO C. 182, Article 3(b).

Source: UN Office of the High Commissioner on Human Rights. *Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography*. Entered into force January 18, 2002; <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPSCRC.aspx>.

Poverty Reduction Strategy Paper (PRSP)

This document is written by the government of a developing country with the participation of civil society to serve as the basis for concessional lending from the World Bank and IMF, as well as debt relief under the World Bank’s Highly Indebted Poor Countries Initiative. A PRSP should measure poverty in the country, identify goals for reducing poverty, and create a spending and policy program for reaching those goals. A PRSP should also ensure that a country’s macroeconomic, structural, and social policies are consistent with the objectives of poverty reduction and social development. A new PRSP must be written every 3 years in order to continue receiving assistance from international financial institutions such as the World Bank.

Source: World Bank. “What are PRSPs?” [online]; <http://go.worldbank.org/CSTQB0F730>.

Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention Against Transnational Organized Crime (Palermo Protocol)

The Palermo Protocol, as the protocol supplementing the United Nations Convention against Transnational Organized Crime is commonly known, covers the trafficking of children, also delineated as a worst form of child labor under ILO C. 182, Article 3(a). *See Child Trafficking above.*

Source: UNODC. *United Nations Convention Against Transnational Organized Crime and the Protocols Thereto*. 2004; <http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>.

Ratification

Ratification is a serious undertaking whereby a state formally accepts the terms of an international agreement, thus becoming legally bound to apply it. Other ways of becoming bound to an international agreement include acceptance, approval, accession, signature, or an exchange of notes.

In order to ratify an agreement, a country must, if necessary, adopt new laws and regulations or modify the existing legislation and practice to support the agreement, and formally deposit the instruments of ratification with the appropriate depositary. (In the case of ILO Conventions, ratifications must be registered with the Director-General of the ILO.)

For certain international agreements that require ratification, signing an agreement or enacting an agreement into domestic law by Congress, or a similar state organ, does not mean that the international agreement has been ratified. Signing an international agreement serves as a preliminary endorsement, albeit a formality, as signatories are not bound by the terms of the international agreement or in any way committed to proceed to the final step of ratification. However, a signatory is obliged to refrain from acts that would defeat the object and purpose of the international agreement, unless it makes its intention not to become a party to the international agreement clear. Similarly, appropriate state entities may signal approval of an international agreement, but that is only one of the requisite steps on the path toward official ratification. The final step requires that the instruments of ratification be submitted to the depositary.

In the case of ILO Conventions, ILO procedures provide the option to ratify or not ratify a Convention, but do not include the option to sign a Convention as a preliminary endorsement. Generally, an ILO Convention comes into force in a ratifying country 12 months after the government has deposited the requisite instrument of ratification. This grace period provides ILO members time to enact or modify legislation to comply with the Convention before it comes into force.

Sources: ILO. "How International Labour Standards are Created." [online]; <http://www.ilo.org/global/standards/introduction-to-international-labour-standards/international-labour-standards-creation/lang-en/index.htm>. See also UNICEF. *Signature, Ratification and Accession: The Process of Creating Binding Obligations on Governments*. [online]; http://www.unicef.org/crc/index_30207.html. See also ILO Convention No. 138, *Minimum Age for Admission to Employment* (Entry into force: 19 Jun 1976), Article 11; <http://www.ilo.org/ilolex/english/convdisp2.htm>. See also ILO Convention No. 182, *Worst Forms of Child Labor*, 1999, Article 9; <http://www.ilo.org/ilolex/english/convdisp2.htm>.

Unpaid Household Services

For the purposes of this report, the term "unpaid household services" by children refers to the domestic and personal services performed by a child within the child's own household under the following conditions: (a) for long hours; (b) in an unhealthy environment, including equipment or heavy loads; or (c) in dangerous locations.

Sources: ILO. *Resolution II: Resolution Concerning Statistics of Child Labour*. Geneva, 18th International Conference of Labor Statisticians; 2008; http://www.ilo.org/wcmsp5/groups/public/-dgreports/-stat/documents/normativeinstrument/wcms_112458.pdf.

¹ ILO. *Resolution II: Resolution Concerning Statistics of Child Labour*. Geneva, 18th International Conference of Labor Statisticians; 2008. http://www.ilo.org/wcmsp5/groups/public/-dgreports/-stat/documents/normativeinstrument/wcms_112458.pdf.

² ILO. *Marking Progress Against Child Labour: Global Estimates and Trends 2000-2012*. Geneva; 2013. http://www.ilo.org/wcmsp5/groups/public/-ed_norm/-ipecc/documents/publication/wcms_221513.pdf.

³ UCW. *Understanding Children's Work Programme*, [online] [cited July 28, 2014]; www.ucw-project.org.

⁴ L. Guarcello, S. Lyon, and C. Valdivia. *Adolescents in Hazardous Work: Child labor among Children aged 15-17 Years*. Rome, July 2016. http://www.ucw-project.org/attachment/Hazardous_work_adolescents_in_CL_july201620160923_142409.pdf.

⁵ ILO. *Report of the Conference: 18th International Conference of Labour Statisticians, Geneva, 24 November - 5 December 2008*. Geneva; 2009. http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@relconf/documents/meetingdocument/wcms_103471.pdf.

⁶ A.R. Ritualo, C. Castro, S. Gormly. "Measuring Child Labor: Implications for Policy and Program Design." *Comparative Labor Law and Policy*, 24(401)(2003);

⁷ International Labour Office. *Every Child Counts: New Global Estimates on Child Labour*. Geneva; April 2002.



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Report Guide

RESEARCH METHODS, ORGANIZATION, AND CONTENT OF COUNTRY PROFILES, AND FRAMEWORK FOR COUNTRY ASSESSMENTS

1. RESEARCH METHODS

1.1 Data Collection and Sources

Information was gathered for this report through desk research, U.S. embassy reporting, and limited field work. Information was also received from some foreign governments. Desk research consisted of an extensive review of mostly online materials, which included both primary and secondary sources. The sources included academic and independent researchers, media outlets, NGOs, international organizations, foreign governments, and U.S. Government agencies. Information was also collected from U.S. Government-funded technical assistance and field research projects.

Examples of sources used in this report are the most recent available editions of country laws relevant to child labor; national-level child labor surveys; NGO reports on the nature of child labor in various countries; and UN reports, including direct requests and observations by the ILO Committee of Experts.(1)

USDOS and U.S. embassies and consulates abroad provided important information by gathering data from contacts, conducting site visits, and reviewing local media sources. A request for information from the public was published in the *Federal Register*, and a copy of the request was mailed to the Washington, DC-based foreign embassies of the countries included in this report.(2) Data were also gathered through site visits to certain countries covered in this report, which included the collection of additional documents, as well as key informant interviews.

1.2 Analysis of Information

The existence of child labor, particularly in its worst forms, often involves violations of laws and regulations, including serious criminal violations in some egregious cases. Information on child labor may be intentionally suppressed. Victims of the worst forms of child labor may be too vulnerable or politically underrepresented or marginalized to claim their rights or even communicate their situations. These factors make information on the worst forms of child labor difficult to obtain. Therefore, in order to compile a credible and comprehensive report, ILAB used the following criteria to assess information:

1. *Nature of the information.* Whether the information about child labor and government efforts to combat it gathered from research, public submissions, or other sources was relevant and probative, and covered the “worst forms of child labor” and “government efforts” as used in this report (see “Key Definitions”) Specific evidence of government efforts was preferred where it was available.
2. *Date of the information.* Whether the source information about child labor was no more than 5 years old. More current information was given priority, and ILAB used sources published during the reporting period to the extent possible. Information from sources older than 5 years was generally not considered.

However, in the case of child labor statistics, certain factors contribute to less frequent generation of new data. Because government and other efforts to address exploitative child labor take time to have an impact on national-level rates of child labor, children’s involvement in such activities does not change dramatically from year to year. Child labor surveys are carried out infrequently, in part because the child labor picture does not change frequently (although there have been recent increases in the number of surveys conducted). In order to present an overall picture of children’s work in as many countries as possible, ILAB used statistics, in some cases, that are more than 10 years old as of the writing of this report (from 2006). For more information on the statistics used in this report, see the “Children’s Work and Education Statistics: Sources and Definitions” section in Appendix 4.

In addition, in cases in which previous editions of this report have asserted that the worst forms of child labor exist in the production of goods, and in the absence of evidence that the problem has been effectively eliminated, sources more than 5 years old may be used. This practice makes the report's information on such forms of child labor consistent with USDOL's *List of Goods Produced by Child Labor or Forced Labor* as mandated by the Trafficking Victims Protection Reauthorization Act of 2005 (TVPRA). Statements that the worst forms of child labor exist in the production of goods will be removed when there is evidence that the problem has been effectively eliminated.

3. *Source of the information.* Whether the information, either from primary or secondary sources, was from a source whose methodology, prior publications, degree of familiarity and experience with international labor standards, and/or reputation for accuracy and objectivity warranted a determination that it was relevant and probative.
4. *Extent of the corroboration.* Whether the information about the use of child labor was corroborated by other sources.

1.3 Limitations

While data on the worst forms of child labor and information about government efforts to provide remediation are improving, data are still insufficient to provide a complete understanding of the problem. A lack of information may create the impression that a country has less serious problems with the worst forms of child labor than it has in reality. At the same time, this dearth of information may create the impression that a government is doing less than it should when, in fact, efforts to combat the worst forms exist, but are simply unreported or unpublicized. Although countries with open and available information may sometimes appear to have larger problems relative to other countries, this may not be the case. In fact, countries that collect information on child labor are in a better position to eliminate the problem than those countries where such information is suppressed, because they can target their policies and programs at identified problem areas in order to achieve maximum impact.

Although information was requested from the public, including governments covered in the report, only 16 governments out of the 135 countries submitted information in response to the request.⁽²⁾ In addition, the lack of in-country data collection and access to other in-country sources of information in the majority of the countries may have affected the reporting.

Due to the inability to travel to each country covered in the report, ILAB relies on U.S. embassies and Internet research to gather primary and secondary sources of information. For countries where Internet access and technology are limited, there may be less information available online. Countries with more closed government processes and less civil society participation may also have less information readily available. When ILAB was unable to find information about the major topics of discussion, including the content of important laws or enforcement efforts, this was noted.

Most of ILAB's online research was conducted in English; however, some research was conducted in Spanish, French, and, to a limited extent, Portuguese, Russian, and Arabic. Materials written in other languages were generally not reviewed.

Despite ILAB's best efforts to cover relevant topics as comprehensively as possible, the report cannot address every salient issue that may affect children's involvement in the worst forms of child labor. For example, there are many factors that affect whether a household will send a child to school, to work, or both. A lack of available information, however, limits the discussion of these issues for some countries. In these cases, we note that the profile's discussion is incomplete. Furthermore, ILAB chose to limit its discussion of education to the issue of access, and generally does not discuss the quality of education because research on the relationship between that quality of education and child labor is lacking.

2. ORGANIZATION AND CONTENT OF COUNTRY PROFILES

ILAB organized country profiles to track the types of efforts outlined in the TDA Conference Committee report. In this report, the Conference Committee indicated that the President should consider certain criteria when determining whether a country has met its obligation under the GSP program to implement its international commitments to

eliminate the worst forms of child labor.(3) Each country profile contains information regarding these criteria: an introductory paragraph that provides an assessment of government actions to advance efforts in eliminating the worst forms of child labor, six sections that describe the problem and different aspects of government efforts to address it, and a set of suggested actions.

The content of a country profile is described in detail below.

2.1. Content of Country Profiles

Each country profile begins with an overview of 2016 in a summary paragraph, starting with a statement identifying the assessment level assigned to the country for 2016. (See “Framework for Country Assessments” in section 3 of this appendix for a more detailed discussion on the criteria used to determine a country’s assessment.)

Following the statement of assessment, the summary includes meaningful efforts taken by a government to implement its commitments to eliminate the worst forms of child labor. The summary also notes where children are engaged in the worst forms of child labor or if no worst forms of child labor exist, where they are engaged in tasks for which there is evidence that such tasks fall into the categories suggested by R. 190 of hazardous work—referred to as “dangerous tasks” in the report. It then highlights areas in which key gaps in government efforts remain.

Section I: Prevalence and Sectoral Distribution of Child Labor

The first section of each country profile attempts to provide, to the extent that information is available, a comprehensive picture of child labor in the country. This section begins with a review of available data on working children and school attendance, followed by a presentation of the most common sectors and activities in which children are engaged. The narrative also provides information about the nature and conditions of the work when such information is available.

Section II: Legal Framework for Child Labor

The second section of each country profile provides information on two criteria established in the TDA Conference Committee report: “1) whether the country has adequate laws and regulations proscribing the worst forms of child labor,” and “2) whether the country has adequate laws and regulations for the implementation and enforcement of such measures.”(3) Accordingly, this section describes a country’s legal framework with regard to child labor, and assesses the adequacy of that legal framework by comparing it, in general, to the standards set forth in ILO C. 182 and ILO C. 138, as well as in other international instruments, including the Palermo Protocol and the Convention on the Rights of the Child and its Optional Protocols. ILAB considered whether the laws criminally prohibited the categorical worst forms of child labor in ILO C. 182, 3(a)–(c), as suggested by ILO R. 190. In line with the ILO Committee of Experts, ILAB considered any law that could be used to prohibit child labor, including its worst forms. ILAB also considered whether the country had ratified key international instruments related to child labor.

It is important to note that ILAB analyzes the countries’ legal framework regarding compliance with international standards, regardless of whether a problem exists in a country. This is to ensure that legal frameworks also serve as preventive mechanisms. For example, even in the case of a country that does not have a problem with the use of children in illicit activities, if there are no laws that exist to prohibit the use of children in illicit activities, the report points out a gap when comparing laws on this issue against international standards.

Please note that this year, the chart indicates where the legal framework met international standards and where it did not whereas last year the chart indicated the existence of relevant laws. For example, last year the chart reported whether a country had established a minimum age for work. This year the chart indicates whether the country’s minimum age for work complies with the international standard.

With regard to forced child labor, ILAB assessed whether a country’s laws comprehensively prohibit all manifestations of the problem of forced child labor, including human trafficking and debt bondage. With regard to child trafficking specifically, ILAB reviewed the adequacy of existing legal protections related to international and domestic trafficking for both commercial sexual exploitation and forced labor against the Palermo Protocol’s

standard for child trafficking, including whether they prohibit the five possible elements of the human trafficking process – the recruitment, harboring, transportation, transfer, and receipt of persons, with the different standard for the trafficking of children.

In all cases in which countries maintain a military force, ILAB assessed whether the minimum age for compulsory military recruitment is 18 and whether the minimum age for voluntary military recruitment is at least 16, with certain safeguards to ensure voluntariness. For all countries, ILAB assessed whether the recruitment of children under age 18 by non-state armed groups is prohibited, even if non-state armed groups are not present in the country.

On the issue of commercial sexual exploitation of children, ILAB assessed whether a country's laws criminally prohibit the procuring (recruitment), use, and offering (sale of) children for prostitution; the production of child pornography; and the use of children in pornographic performances. Regarding illicit activities, ILAB assessed whether laws criminally prohibit the use, procuring, or offering of a child in both the production and trafficking of drugs.

ILAB assessed whether the types of hazardous work prohibited by each country were comprehensive, based on whether there was evidence that children were engaging in work where, according to ILO R. 190, the work may be hazardous. Because the standards on the minimum age for work in ILO C. 138 provide a foundation for protections against the worst forms of child labor, ILAB used the standards embodied in that convention to assess each country's minimum age for admission to work and the age up to which education is compulsory.⁽¹⁾ ILO C. 138 establishes that countries should set a minimum age for work of 15, or 14 for countries with less-developed economies where the country has specified an age of 14 upon ratification. It also indicates that if countries have a light work framework, they should set a minimum age for light work at 13, or 12 for less-developed economies, and that legislation related to light work should determine the activities that may be permitted, prescribe the number of hours per week, and specify the conditions under which light work may be conducted.

According to ILO C. 138, the minimum age for work shall not be less than the age for compulsory education. ILAB recognizes that the convention calls on member states to avoid the establishment of a minimum age for work that is lower than the compulsory school age. However, the opposite situation - in which the minimum age for work is higher than the minimum age for compulsory schooling - should also be avoided. It is possible that a low (or no) compulsory school age may encourage children below the legal age of employment to work because they are not required to attend school. Because such work is illegal, it may be more hidden from public view than other forms of work, thus increasing the possibility of exploitation through involvement in hazardous work or other worst forms of child labor. Therefore, the section notes when a country's minimum age for compulsory education falls below the minimum age for employment. It also notes whether a country has free public education through at least the basic level.

Section III: Enforcement of Laws on the Worst Forms of Child Labor

The third section of each country profile addresses the third criteria included in the TDA Conference Committee report: "3) whether the country has established formal institutional mechanisms to investigate and address complaints relating to allegations of the worst forms of child labor."⁽³⁾ This section describes the roles of government agencies in enforcing laws relevant to child labor, including its worst forms, and reports on labor law and criminal law enforcement efforts during the reporting period.

In this section, ILAB analyzed whether or to what degree the country had defined enforcement agency roles, and had investigated and addressed complaints related to allegations of the worst forms of child labor. Because ILO C. 182 only discusses enforcement to a limited extent, other international standards and practices were also considered as general evaluating guidelines, including those from ILO C. 81 and ILO C. 129 on Labour Inspection and Labour Inspection in Agriculture, respectively. To the extent possible, ILAB assessed whether the country had:

- Established labor inspection systems;
- Provided sufficient funding and resources to enforce child labor laws and regulations;
- Employed a sufficient number of inspectors according to the ILO's recommendation to enforce the country's child labor laws and regulations;
- Provided sufficient training for inspectors, including initial training for new employees, training on new laws related to child labor, and refresher courses;

- Developed and implemented an adequate labor inspection strategy that allowed for different types of on-site inspections of worksites (e.g. routine, targeted, complaint-driven, unannounced inspections), and conducted inspections with sufficient frequency and in all relevant sectors;
- Provided sufficient authority to the labor inspectorate to penalize child labor violations and follow through with sanctions where appropriate;
- Published information on specific inspection results and fines or sanctions imposed for violation of child labor laws and regulations, including the worst forms of child labor;
- Established a complaint mechanism for labor violations; and
- Set up a reciprocal referral mechanism between labor authorities and social services.

Although ILAB researched and requested law enforcement information in each of the above areas for this year's report, this information was not available in all cases. For example, in many cases, ILAB did not have enough information to determine whether the number of inspectors was sufficient in the country. Only in certain situations, where the government acknowledged they did not have a sufficient number of labor inspectors or ILAB obtained information indicating that the number of labor inspectors was small relative to the size of the country's workforce, did ILAB issue findings of insufficiency. In the latter situation, ILAB considered the ILO's recommendation that the number of labor inspectors in relation to workers should approach 1:10,000 in industrial market economies, 1:15,000 in industrializing economies, 1:20,000 in transition economies, and 1:40,000 in less developed countries in determining whether a finding should be included.(4)

In addition, ILO R. 190 states that countries should criminally prohibit the categorical worst forms of child labor as set forth in ILO C. 182 Articles 3(a)–(c). Therefore, the report also assessed whether for criminal law enforcement the country had:

- Established criminal investigation systems
- Provided sufficient funding and resources to enforce the worst forms of child labor laws and regulations
- Provided sufficient training for investigators, including initial training for new employees, training on new laws related to child labor, and refresher courses
- Conducted a sufficient number of investigations related to the worst forms of child labor
- Published information on specific investigation results and violations, prosecutions and convictions related to the worst forms of child labor; and
- Established a reciprocal referral mechanism between criminal authorities and social services.

Section IV: Coordination of Government Efforts on the Worst Forms of Child Labor

The fourth section of each country profile also addresses the third criterion included in the TDA Conference Committee report: "(3) whether the country has established formal institutional mechanisms to investigate and address complaints relating to allegations of the worst forms of child labor."(3) This section provides information on key institutions charged with coordinating overall efforts to combat child labor, including its worst forms, in the country. Although the Conference Committee report speaks only to whether such mechanisms are in place with regard to investigation and complaints of the worst forms of child labor, ILO C. 182, Article 5, states that "[e]ach Member shall, after consultation with employers' and workers' organizations, establish or designate appropriate mechanisms to monitor the implementation of the provisions giving effect to this Convention." ILAB applied this concept of monitoring to all provisions of the convention, not just those directly related to the enforcement of child labor laws. However, because since the term *monitor* is often associated exclusively with enforcement activities, ILAB uses the term *coordinate* to describe this function.

Section V: Government Policies on the Worst Forms of Child Labor

The fifth section of each country profile provides information on the fourth criterion in the TDA Conference Committee report: "(4) whether the country has a comprehensive policy for the elimination of the worst forms of child labor."(3) This section describes a country's key policies and plans to combat child labor, including its worst forms.

ILAB used the framework provided in ILO R. 190, Article 15(f), which illustrates measures that countries might take to combat the worst forms of child labor, such as “encouraging the development of policies by undertakings to promote the aims of the Convention.”(5) In ILO C. 182 and in comments from the ILO Committee of Experts, the terms *programs* and *plans of action* are often used interchangeably. Indeed, it is difficult to distinguish, in some cases, among a policy, a plan, or a program.(6) For purposes of the TDA Conference Committee report, a policy on child labor is defined as a framework that lays out general principles that are intended to guide a government’s actions on child labor. Although policies may call for the passage of new laws and the establishment of new programs, the actual adoption of laws and the implementation of programs are discussed in the “Legal Framework for the Worst Forms of Child Labor” section or the “Social Programs to Address Child Labor” section, respectively.

Specifically, ILAB assessed whether governments had achieved the following:

- Established specific child labor policies, any related development policies that explicitly incorporate the issue of child labor, or any related development policies that do not explicitly target child labor but that could have an impact on the problem. (ILAB determined that because so few governments distinguish between worst forms of child labor and child labor, any policy on child labor, whether targeted toward the worst forms of child labor or not, would be discussed.)
- Ensured that these policies included specific action plans, assigned responsibilities, established goals, and set timetables.
- Implemented established policies and plans.

Section VI: Social Programs to Address Child Labor

The sixth section of each country profile provides information on the fifth criterion in the TDA Conference Committee report: “5) whether social programs exist in the country to prevent the engagement of children in the worst forms of child labor and assist in the removal of children engaged in the worst forms of child labor.”(3) As in the section on policies, this section describes key programs focused on the worst forms of child labor and those focused on all forms of child labor, because countries often do not distinguish between the two when creating child labor programs. Also, as in the section on policies, this section discusses programs that focus on child labor specifically, as well as programs that address poverty, education, and other related matters that could have a beneficial impact on child labor. Only programs launched or implemented during the reporting period are included in this section.

ILAB generally considered the implementation of projects through international organizations to be government efforts, because the projects can only be carried out with the consent of the government and such efforts are sometimes considered part of national budgets.

ILAB applied standards embodied in Articles 6 and 7 of ILO C. 182 to assess country programs to combat child labor. ILO R. 190 was also used in determining the types of efforts that governments might make, such as giving special attention to girls, providing training to employers and workers, and raising awareness. With this in mind, ILAB assessed whether governments had:

- Participated in any social programs to combat child labor, including programs aimed at directly preventing and withdrawing children from participation in child labor.
- Implemented social programs with sufficient resources to combat the scope and magnitude of the child labor problem at issue;
- Targeted at-risk populations; and
- Implemented social programs successfully and sustainably.

Section VII: Suggested Government Actions to Eliminate the Worst Forms of Child Labor

The last section of each country profile is a set of suggested actions. These suggested actions serve as a roadmap of efforts that individual countries can follow to more fully address the worst forms of child labor. The year in which a suggested action was first provided is listed in the table, followed by every year in which the action was included in the report and not addressed.

3. FRAMEWORK FOR COUNTRY ASSESSMENTS

3.1 Objective for Country Assessments

ILAB is using an assessment tool to clearly indicate and highlight the status of efforts by each country benefiting from U.S. trade preferences to eliminate the worst forms of child labor.

3.2 Research Question Guiding Country Assessments

The research question that ILAB is asking in its assessment of an individual beneficiary country is: "To what extent did the beneficiary country advance efforts to eliminate the worst forms of child labor during the reporting period?"

3.3 Scope of Country Assessment

As discussed, the TDA Conference Committee report outlines the following six criteria that the President is asked to consider in determining whether a country is implementing its international commitments to eliminate the worst forms of child labor:

1. Whether the country has adequate laws and regulations proscribing the worst forms of child labor
2. Whether the country has adequate laws and regulations for the implementation and enforcement of such measures
3. Whether the country has established formal institutional mechanisms to investigate and address complaints related to allegations of the worst forms of child labor
4. Whether the country has a comprehensive policy for the elimination of the worst forms of child labor
5. Whether social programs exist in the country to prevent the engagement of children in the worst forms of child labor, and assist in the removal of children engaged in the worst forms of child labor
6. Whether the country is making continual progress toward eliminating the worst forms of child labor

The country assessment tool is intended to inform the sixth criterion listed above: "6) whether the country is making continual progress toward eliminating the worst forms of child labor." In preparing the assessments, ILAB evaluated the first five criteria, grouping them into the same five areas addressed in the individual country profiles: laws and regulations, enforcement, coordination, policies, and social programs. The assessment is based on an analysis of the status of each country's efforts in these five areas considered as a whole and compared to the country's prior efforts. The assessments do not take into account the impact of government actions on the problem, or whether they have a documented effect in eliminating the worst forms of child labor. This type of analysis would require rigorous impact evaluations and assessments based on data from solid research designs, which is beyond the scope of this report. It is important to note that the assessment is not intended to reflect a determination of "whether a country has implemented its commitments to eliminate the worst forms of child labor." That determination is reserved for the President.

3.4 Method for Determining a Country Assessment

Each country profile presented in this report identifies a set of suggested actions for governments to take in order to advance efforts to eliminate the worst forms of child labor. The implementation - or lack of implementation - of these suggested actions establishes a baseline, or point of reference, from which to assess a country's advancement. These actions, in combination with other efforts undertaken by a country, were considered when assessing the level of a country's advancement during the current reporting period compared with the previous reporting period.

Once a country's efforts were identified, ILAB assessed (1) the significance of efforts - actions that could have an impact in eliminating the worst forms of child labor - undertaken during the reporting period, and (2) the extent to which these efforts addressed the first five TDA criteria, outlined above, in a limited or meaningful manner during the reporting period. In addition, ILAB reviewed whether there were delays in eliminating the worst forms of child labor as a result of a government (1) establishing a regressive or significantly detrimental law, policy, or practice during the reporting period; or (2) failing to remedy a regressive or significantly detrimental law, policy, or practice that was

established in previous years. Finally, ILAB also examined whether countries had a policy or demonstrated a practice of being *complicit in forced child labor* in more than an isolated incident at the national, regional, or local level.

To promote consistency and transparency, and to operationalize these first five TDA criteria, each country's efforts were analyzed according to a uniform set of guidance questions related to the five general areas of laws and regulations, enforcement, coordination, policies, and social programs. These guidance questions are presented in Appendix 5. For additional information, see the "Country Assessments" section of this report.

1. ILO Committee of Experts. *Committee of Experts on the Application of Conventions and Recommendations*; accessed <http://www.ilo.org/global/standards/applying-and-promoting-international-labour-standards/committee-of-experts-on-the-application-of-conventions-and-recommendations/lang-en/index.htm>. The ILO CEACR examines and makes two types of comments upon the application of international labor standards by states parties to the relevant conventions. Direct requests contain technical comments or questions raised by the application of a particular convention by a state, and these requests are sent directly to governments. Observations contain comments on fundamental questions raised by the application of a particular convention by a state and are published in the Committee's annual report.
2. U.S. Department of Labor. "Child Labor, Forced Labor, and Forced or Indentured Child Labor in the Production of Goods in Foreign Countries and Efforts by Certain Foreign Countries to Eliminate the Worst Forms of Child Labor." *Federal Register* 80, (no. 207) (October 27, 2015); <https://www.federalregister.gov/articles/2015/10/27/2015-27329/child-labor-forced-labor-and-forced-or-indentured-child-labor-in-the-production-of-goods-in-foreign>.
3. *H. Rept. 106-606, (2000) (Conf. Rep.)*, enacted
4. ILO. *Strategies and Practice for Labour Inspection*. Geneva, Committee on Employment and Social Policy; November 2006; <http://www.ilo.org/public/english/standards/realm/gb/docs/gb297/pdf/esp-3.pdf>. Article 10 of ILO Convention No. 81 calls for a "sufficient number" of inspectors to do the work required. As each country assigns different priorities of enforcement to its inspectors, there is no official definition for a "sufficient" number of inspectors. Among the factors that need to be taken into account are the number and size of establishments and the total size of the workforce. No single measure is sufficient but in many countries the available data sources are weak. The number of inspectors per worker is currently the only internationally comparable indicator available. In its policy and technical advisory services, the ILO has taken as reasonable benchmarks that the number of labor inspectors in relation to workers should approach: 1/10,000 in industrial market economies; 1/15,000 in industrializing economies; 1/20,000 in transition economies; and 1/40,000 in less developed countries.
5. ILO. *R190 - Worst Forms of Child Labour Recommendation, 1999 (No. 190): Recommendation concerning the prohibition and immediate action for the elimination of the worst forms of child labour*; accessed https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312528:NO.
6. ILO. *C182 Worst Forms of Child Labour Convention, 1999*; accessed June 13, 2016; <http://www.ilo.org/ilolex/english/convdisp2.htm>.

TDA Criteria and Corresponding Guidance Questions

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

TDA Conference Report Criterion:

- “Whether the country is making continual progress toward eliminating the worst forms of child labor”

Guidance Questions

1. *Was the government complicit in the use of forced child labor?
2. Has the government conducted research on the prevalence and nature of the worst forms of child labor and made the results publicly available?
3. Did the government make efforts to reduce children’s vulnerability to the worst forms of child labor by addressing factors such as:
 - a. country- and region-specific practices that make children vulnerable to the worst forms of child labor; and
 - b. barriers to education: lack of teachers; lack of schools/inadequate facilities; lack of infrastructure (access to schools); lack of transportation; violence, including physical and sexual abuse; birth registration; and the charging of school fees.
4. Are specific populations vulnerable to child labor due to gender, race, ethnicity, origin, disability, language, or socio-economic status?
5. Were there events during the year that destabilized the country, such as armed conflict; health epidemics and natural disasters; or other social, economic, and political crises?

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

TDA Conference Report Criteria:

- “Whether the country has adequate laws and regulations proscribing the worst forms of child labor”
- “Whether the country has adequate laws and regulations for the implementation and enforcement of such measures”

Guidance Questions

1. Did laws meet international standards?
 - a. Minimum age for admission to employment in line with ILO Convention 138
 - b. Minimum age for admission to hazardous work in line with ILO Conventions 138 and 182
 - c. Prohibitions on forced child labor, child trafficking, commercial sexual exploitation of children, and use of children in illicit activities in line with ILO Convention 182
 - d. Minimum age for state compulsory military service in line with ILO Convention 182 and the UN CRC Optional Protocol on Armed Conflict
 - e. Minimum age for state voluntary military service in line with the UN CRC Optional Protocol on Armed Conflict
 - f. Prohibition against recruitment of children under age 18 by non-state armed groups
 - g. Age to which education is compulsory that aligns with the minimum age for work, in line with ILO Convention 138
 - h. Provision of free public basic education in line with ILO Convention 182
 - i. Ratification of ILO Convention 182
2. If the country’s constitution and laws are not compliant with international standards embodied in ILO Conventions 138 and 182, has there been any change in the constitution or laws that brings the country closer to being fully compliant?

3. If laws were not comprehensive in their prohibitions of all variations of a particular worst form, has there been any change in the constitution or laws that brings the country closer to being comprehensive?
4. Were laws related to child labor made publicly available?
5. *Were there aspects of laws that are contrary to international standards and likely to increase children's vulnerability to the worst forms of child labor? This question would apply both to countries with child labor problems, as well as countries in which there is no evidence of a worst forms of child labor problem, and when the country has gaps in its legal and enforcement framework on child labor.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

TDA Conference Report Criterion:

- "Whether the country has established formal institutional mechanisms to investigate and address complaints relating to allegations of the worst forms of child labor"

In this section, ILAB analyzed whether or to what degree the country had defined enforcement agency roles, and had investigated and addressed complaints related to allegations of the worst forms of child labor.

Guidance Questions

1. What was the amount of funding for the labor inspectorate? Was there an increase or decrease in the funding and resources to enforce child labor laws and regulations, and were these resources adequate given the incidence of child labor in the country?
2. Was there an increase or reduction in inspectors to enforce child labor laws and regulations, and was the number of inspectors adequate given the size of the country's workforce according to the ILO's recommendation in Article 10 of Convention No. 81? Did the country offer initial training to new inspectors and investigators, including specialized training on child labor; training on new laws related to the child labor, including its worst forms; and refresher courses?
3. Did the government provide sufficient authority to sanction child labor violations?
4. Did the country make available information on labor law enforcement efforts related to child labor, including the number of labor inspections conducted at worksites and by desk review; the number of child labor violations found; and the number of child labor violations for which penalties were imposed and collected?
5. Did the government develop and implement a labor inspection strategy that allowed for different types of on-site inspections of worksites (for example, routine, targeted, complaint-driven, unannounced inspections)?
6. Were inspections conducted with sufficient frequency and in all relevant sectors?
7. Did the government create or improve a mechanism for filing and resolving complaints expeditiously regarding child labor?
8. Does a reciprocal referral mechanism exist between labor and criminal authorities and social services?
9. Did the country make available information on criminal law enforcement efforts related to the worst forms of child labor, including the number of investigations, violations found, prosecutions initiated, and convictions?
10. Did the government establish or improve a process for information sharing among enforcement authorities?
11. *Were there any aspects of the country's enforcement practices that likely increase children's vulnerability to the worst forms of child labor?

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

TDA Conference Report Criterion:

- “Whether the country has established formal institutional mechanisms to investigate and address complaints relating to allegations of the worst forms of child labor”

ILAB analyzed whether or to what degree the country had institutions charged with coordinating overall efforts to combat child labor, including its worst forms.

Guidance Questions

1. Was an agency or committee created to coordinate government efforts to combat the worst forms of child labor?
2. Does the agency or committee address all sectors of child labor that are prevalent in the country, or does it only address certain sectors?
3. Did such an agency or committee meet regularly and take actions, or did it not meet regularly and take few or no actions?

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

TDA Conference Report Criterion:

- “Whether the country has a comprehensive policy for the elimination of the worst forms of child labor”

Guidance Questions

1. Did the government establish any new policies or plans that specifically address the worst forms of child labor or any one of the worst forms of child labor?
2. Did the government incorporate the worst forms of child labor specifically as an issue to be addressed in poverty reduction, development, educational, or other social policies (e.g., Poverty Reduction Strategy Papers)?
3. Did the government establish any poverty reduction, development, educational, or other social policies (e.g., Poverty Reduction Strategy Papers) that did not explicitly address the worst forms of child labor or any one of the worst forms of child labor, but that might have had an impact on it or them?
4. If the country established any of the above policies or plans, do they designate responsibilities, establish goals, and set timelines?
5. Using the criteria in Question 4, did the government effectively implement existing policies and plans?
6. *Were there ongoing country policies or were there any changes to the country’s policies that likely increase children’s vulnerability to the worst forms of child labor?

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

TDA Conference Report Criterion:

- “Whether social programs exist in the country to prevent the engagement of children in the worst forms of child labor, and assist in the removal of children engaged in the worst forms of child labor”

Guidance Questions

1. Did the government fund or participate in any new or ongoing programs that aim to eliminate or prevent the worst forms of child labor?
2. Did the government fund or participate in any social protection programs that could reasonably be expected to have an impact on child labor? Were any of the countries’ programs shown, through research, to have an impact on child labor?

3. Are the country's programs sufficient to combat particular forms of child labor given the scope and magnitude of those problems?
4. Do the programs provide services directly to children?
5. Do the programs adequately target at-risk populations?
6. Were the programs fully funded?
7. Are the programs meeting their goals?
8. Are the program efforts sustainable?
9. Using the criteria in questions 4–8, did existing government programs improve or worsen in quality or effectiveness compared with the previous year?
10. Were there any changes to the country's programs that likely increase children's vulnerability to the worst forms of child labor?*

* A "yes" response likely means an assessment of minimal or no advancement.

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Children play at the Save the Children "Rainbow Kindergarten" in Za'atari
refugee camp. Please note that this image does not relate to child labor directly.



**WHAT CAN
YOU
DO TO HELP
ADDRESS CHILD LABOR?**

Together we will make a difference.





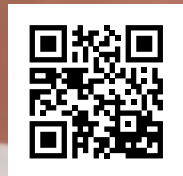


© REUTERS
An Iraqi girl herds water buffaloes in the Euphrates river in Najaf, south of Baghdad, March 6, 2014.



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Matas Zawahir (7) with her brother Ziad (10) are refugee children from Yemen at Caritas Education Centre in Obock, Djibouti. July 13, 2015.

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